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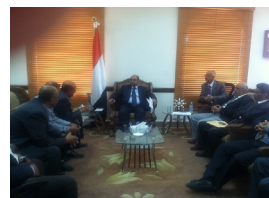
Justice and Security Dialogue in Yemen

Negotiating Local Sources of Conflict amid National Transition

Erica Gaston

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Problem Identified

•   *In the wake of the collapse of state control in parts of Yemen during the 2011 Arab Spring crisis, local security and justice systems were in disarray,* and local communities lacked confidence that local government actors, who had been impotent in the face of militant and criminal actions in 2011, could restore those systems.

•   *Local government actors needed support and top-down decision making from the national government if they were to kickstart local change.* The transitional government and the main political parties and actors, however, were absorbed by debates on a national political settlement.

Action Taken

•   *USIP explored whether a Justice and Security Dialogue (JSD) program, a tool USIP has used successfully to empower collective local security problem-solving, could help mitigate lingering justice and security issues.*

•   *USIP introduced pilot JSDs in two governorates, Abyan and Marib,* which suffered from weak state control, needed significant reconstruction and development, and had to contend with a high presence of transnational terrorist groups and criminal networks.

•   *The JSDs brought together local state officials, tribesmen, and community representatives to begin brainstorming local solutions.* The JSD further empowered participants by linking select local representatives with national-level policymakers and actors who might be able to support local initiatives.

Lessons Learned

• *JSDs may be helpful in other governorates in Yemen, offering an important opportunity for further developing reform proposals that have emerged in this transition period and applying them successfully at the local level.* Connecting local actors with national-level officials and policymakers was an important component of the Yemen JSDs, given the dynamic changes happening at a national level during this transition period. Success at the national level also often fueled greater cooperation and problem-solving at a local level.

• While JSDs offer one potential avenue for addressing the breakdown between national and local politics and contributing positively to political transition, *the ongoing political uncertainty and the high number of security and governance challenges in Yemen make JSD activities difficult to carry out.* These conditions may complicate timelines and make progress harder to achieve, requiring greater time and flexibility to achieve JSD goals.

• *Local JSD initiatives were more successful when complemented by outside or national-level support,* ranging from a national policy decision that supported local initiatives to funding for local infrastructure. These were perceived as concrete results from the dialogue, a perception that generated more buy-in from the communities and further cooperation.

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Main cover photo: Community assembly on means to protect judicial actors, Abyan, August 29, 2013. Photo by Fahd al-Abassi. For details of smaller photos, see inside this report.

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Introduction

The United States Institute of Peace (USIP) has used justice and security dialogues (JSDs) in a variety of conflict, conflict prevention, and postconflict environments to build trust between government or security actors and local communities and to facilitate cooperation and collective problem solving.[1] The local context determines the shape and processes of a particular JSD, as well as the particular issues or subject matter addressed by a JSD. For example:

• In Nepal, a JSD project evolved over seven years, beginning with national-level JSDs, then rolling out to JSDs in all thirty-two provinces addressing rule of law deficiencies through both bottom-up and top-down reforms.

• In Iraq, a JSD project operates at the district level in four provinces, focusing on building trust among police, communities, religious leaders, and other actors. Specific issues of discussion have ranged from security-related concerns regarding internally displaced persons (IDPs) to developing interim security plans to protect communities from militias and terrorist-related violence.

• In Libya, dialogues have focused on large-scale reform issues—how to move from a forty-two-year dictatorial regime to stable democracy—often through microlevel community relationship-building among local groups.

More information on USIP JSDs in other contexts can be found in annex 1.

First Steps toward JSDs in Yemen

The idea of conducting JSDs in Yemen was initially conceived of in the summer of 2011, after the Arab Spring protests in Yemen had escalated into a situation approaching civil war.[2] Although the protests began peacefully, when major political stakeholders, opposition political leaders, and tribal leaders—each backed by relatively well-matched armed groups and supporters—joined citizens in the so-called change squares, the situation morphed from a largely peaceful protest movement into a full-blown political crisis. By the end of that summer, tanks rolled down the streets in major urban areas, and major cities were divided by frontlines and contested areas.

Regional actors, the United Nations, and other members of the international community worked to broker a negotiated solution that would satisfy protestors and opposition actors' demands and restore stability. Because grievances about security and justice

failures were major factors driving the initial protests and the subsequent opposition against President Saleh, JSDs were seen as a way to bridge the gap between citizens and the government and to raise the voice of civil society and youth in reform measures, contributing toward a peaceful resolution of the crisis.[3]

By the time a funding agreement for the JSDs with the US State Department's Bureau of International Narcotics and Law Enforcement (INL) had been finalized, the situation had changed dramatically. In November 2011, as USIP began exploring how to implement JSDs in Yemen, the country's main political parties signed the Gulf Cooperation Council (GCC) agreement and UN-backed implementation mechanisms, which established a two-year period for political transition.[4] President Saleh agreed to step down from power in exchange for immunity from prosecution. A power-sharing government was established for a two-year transition period, and former vice-president Abd Rabbuh Mansur Hadi was confirmed as interim president in a referendum in February 2012.

Although the GCC agreement enabled a temporary halt to the escalating conflict, nearly a year of political uncertainty had weakened already fragile state control and rule of law across Yemen. In major urban areas, armed actors—some affiliated with opposition leaders, some local actors protecting their neighborhoods, and some with criminal intent—had taken control of significant areas; they continued to prevent state actors from entering their areas of control or enforcing the law in them through 2011 and much of 2012.

While persistent security problems lingered in urban areas, outside of urban areas, reasserting state control and basic security was an even more daunting prospect. During 2011, security forces still loyal to Saleh were deployed to the major populated and strategic areas to counter threats by opposition forces, leaving many of the more rural, outlying governorates with virtually no state military presence or control. A security vacuum emerged in large swaths of Yemeni territory, providing room for criminal gangs, traffickers, and terrorist groups, particularly in governorates where the state presence had long been weak. Throughout 2011 and 2012, Al Qaeda in the Arab Peninsula (AQAP) took advantage of this security vacuum to expand its operating space across Yemen. Most notably, in March 2011, a local AQAP affiliate calling itself Ansar al-Sharia, took control of a governorate in eastern Yemen, Abyan (one of the two areas where JSDs were later conducted), declaring its own Islamic state in the governorate. Terrorist groups also enjoyed expanded movement and recruitment through the largely ungoverned tribal governorates of Shabwa and Marib (the second location for the JSDs).

Timeline of JSD Engagement in Yemen, 2011-14

February 2011:	Arab Spring protests break out across Yemen
March 18, 2011:	Government crackdown on protestors ignites mass uprising and enlarges crisis
March-May 2011:	AQAP-backed Ansar al-Sharia takes over eastern Abyan governorate
Summer 2011:	**USIP conceives of JSD in Yemen**
Early November 2011:	**USIP begins developing JSD programming**
November 23, 2011:	GCC agreement signed, Saleh removed and new transitional government in place
February 21, 2012 :	Former vice president Hadi elected president
May-June 2012:	Ansar al-Sharia ousted from control of Abyan
July 2012:	Technical committee for National Dialogue formed and preparations begin
Fall 2012:	**USIP conducts research on justice and security in Abyan, Marib, Taiz, and Aden**
February 2013:	**USIP releases assessment and confirms Abyan and Marib as JSD locations**
April 2013:	**USIP initiates JSD with its local partner Partners-Yemen**
May 2013:	**First JSD conferences for Abyan and Marib held**
May 18, 2013:	Yemen's National Dialogue opens
Mid-2013-early 2014:	**Series of smaller follow-up meetings held between stakeholders at local level and between national and local actors**
January 2014:	Yemen's National Dialogue ends
March 2014:	**JSD program ends**

Selection of the JSD Governorates: Marib and Abyan

Although the GCC agreement ushered in a new government and nominally resolved the crisis, the weak and divided power-sharing government struggled to regain control. From October 2012 to February 2013, USIP conducted an assessment of local justice and security in four governorates: Aden, Taiz, Abyan, and Marib.[5] At a time when information about areas outside of the capital of Sanaa was sparse, the assessment was designed

to assess the impact that the 2011 crisis and subsequent transition was having at a local level.[6] This assessment would not only inform key stakeholders about the challenges, but also enable USIP to refocus and design its JSD, identifying potential areas and partners as well as potential issues. The assessment found that just over a year into the transition period, local conditions had stabilized to some degree, but security, government services, and economic and social functions in the four governorates had not returned to pre-2011 levels. Thus, the assessment confirmed that although the surrounding situation in Yemen had changed significantly since the original conception of the JSD, the need for local justice and security solutions was greater than ever.

The information gathered and contacts made during assessment also suggested that of the four governorates, Marib and Abyan might be the best locations for hosting the JSD (see the following chapter for detailed background on these two governorates). First, inspired by ongoing preparations for the National Dialogue that was the flagship of the GCC agreement, many NGOs and international actors at this time were engaging in dialogue activities in accessible, urban areas such as Aden and Taiz. But, due to insecurity, considerably fewer NGOs were present and active in Marib and Abyan, particularly NGOs focusing on governance, justice, and dialogue issues. Thus, by engaging in Marib and Abyan, programming would assist underserved populations and prevent possible overlap with other ongoing dialogue activities.

In addition, the nature of the security and justice issues in both governorates suggested a need for dialogue, at least in the initial stages, to move toward more durable solutions. Security conditions and local justice provision were among the worst in Yemen in these two governorates. As noted, Abyan had been overrun by Ansar al-Sharia in 2011. In the summer of 2012, government forces, with local progovernment militias known as Popular Committees, pushed Ansar al-Sharia out of the main cities of Abyan and regained at least nominal control. However, the scope of the physical destruction, rampant insecurity, and fear of a relapse into violence had a collective psychological impact, preventing citizens and local government officials from resuming normal work. Many of those interviewed in the assessment suggested that the trust gap between officials and citizens needed to be overcome in order to move toward solutions.

Marib did not suffer the existential crisis that Abyan did in 2011, but the security vacuum that emerged in 2011 and the continuing political uncertainty of the transition period nonetheless exacerbated long-standing issues of weak state control and strong militant and criminal groups in Marib. The years 2012 and 2013 were marked by continuous attacks and assassinations on government and security forces, clashes at security checkpoints (sometimes between tribal actors and the government), and reprisals from the government for both. To begin to address these security and law and order issues would require collective effort from the government and state security forces, and from the tribes who had long played the dominant role in justice and security in Marib.

Although the gulf between these actors was enormous, there were incentives to encourage both the government and local communities to engage in collective dialogue and problem-solving. The assessment suggested that tribes were feeling overwhelmed by the growing complexity of security dynamics, and tribal leaders and citizens said they need greater government engagement on law enforcement, security, and justice to deal with critical issues in Marib—a level of intervention they had not welcomed before. From the Yemeni government side, there was a great need to address the security issues emanating from Marib, both the stronger presence of transnational terrorist groups who posed a direct threat to interests in the capital Sana'a, and increased attacks on national oil and electricity pipelines that ran through Maribi territory since 2011. Finally, many locals interviewed were interested in dialogue: in the initial assessment many argued that dialogue was a prerequisite to any other concrete security cooperation. As one local Maribi leader noted in preliminary interviews, "it is in the hands of Maribians to sit together and discuss their issues in order to resolve their concerns and problems first."

Background Sketches of Abyan and Marib

Before exploring in detail the JSD activities and processes that took place, this chapter presents brief sketches of the justice and security situation in Abyan and Marib. These sketches draw on information gathered during the initial assessment, which was published in April 2013,[7] supplemented by information acquired during the subsequent JSD process.

Abyan: Background

Abyan is a small, predominantly agricultural governorate. Although it has substantial rural and tribal populations, Abyan had some level of formal government engagement and presence before 2011, including a relatively well-established and functioning judiciary (for its size) in urban areas. This is in part due to its proximity to Aden, which is a forty-five minute drive from the capital of Abyan, Zinjabar, and in part due to deliberate efforts by the socialist government of South Yemen (People's Democratic Republic of Yemen, 1970–1990) to erode tribal influence and exert state control and presence.

The socialist period has a bearing on the conflict dynamics that led to the strong presence of transnational terrorist groups in Abyan, culminating in the takeover of Abyan by these groups in 2011. Through a combination of overt state policy and the de facto actions of Marxist militias, the socialist state seized tribal land and property in Abyan (redistributing it to party loyalists and workers in the local area, or nationalizing the most valuable tracts), and forced key tribal leaders into exile. This disrupted water usage and agricultural production, with important economic ramifications later, and left a cohort of disgruntled fighters in its wake who were prepared to act against the southern government in Aden at the slightest encouragement—a fact that would prove useful to Saleh decades later.

Many of these disenfranchised tribal youths (along with thousands of other Yemenis) went to Afghanistan to fight in the "jihad" against the Soviet Union in the 1980s. When that conflict ended, many returned to Abyan, still with lingering grievances against Yemeni government, but now armed with greater experience in insurgent tactics and strong connections to transnational terrorist groups. One of the most prominent individuals of these disgruntled tribal groups was Tariq al-Fadhli, formerly heir to the sultanate of Abyan before his family was dispossessed and expelled by the Southern

Socialist regime.[8] In Afghanistan, he became a close affiliate of Osama bin Laden and upon his return to Yemen helped found AQAP.[9] Al-Fadhli established a terrorist base in Abyan, recruiting fighters among disaffected tribal groups and organizing some of Al-Qaeda's first attacks in the early 1990s, many staged in the nearby commercial port city of Aden. Government officials in Aden tried to crack down on the jihadis, with some detentions and arrests, but ultimately were not able to disrupt the network or prevent it from growing.

In 1990, North and South Yemen unified, with Saleh taking the lead as president and the former president of South Yemen, Al-Beidh, becoming vice-president. Following a failed Al Qaeda attack on US Marines at a five-star hotel in Aden in 1992, Saleh saved Al-Fadhli from a direct attack by Adeni forces under Beidh's command by forcing him into house arrest in Sanaa. When civil war broke out between north and south Yemen in 1994, Saleh appointed Al-Fadhli to a post in the Yemeni army and ordered him to regroup his Abyani fighters against the forces of former South Yemen president Al-Beidh.[10] Other jihadist groups based in other governorates, motivated through a combination of tribal affiliation and response to years of reprisals from the South Yemen military, were corralled to join the fight on behalf of the north and also descended on Aden.

The fallout from the civil war continued to have implications for stability in Abyan, with land and jihadis again at the heart of the tension. Those who sided with and supported Saleh were given large tracts of rich agricultural land in Abyan, but otherwise the governorate was largely neglected in the post–civil war period. The various external interventions into land distribution over the years (and by corollary, water usage rights), first with the socialists then post forced reunification, seriously distorted agricultural usage and processes, increasing overall wealth disparity and damaging the local economy. This contributed to a large reservoir of unemployed, dissatisfied youth with strong grievances against the government. In this environment—and largely unchecked by Saleh—jihadist groups continued to thrive. Many locals interviewed for the assessment and the justice security dialogues (JSDs) argued that Saleh allowed these groups to survive (and even flourish) because it served his interests to have a reservoir of jihadis in striking distance of Aden, should he choose to call on them again as he did in the 1990s. Others have argued that the Yemeni state was simply not strong enough to take these groups on and did not want to poke a hornet's nest.

With the onset of protests in early 2011, key forces loyal to Saleh were pulled out of outlying governorates, including Abyan, to protect Saleh's interests in main cities. Meanwhile, other forces defected and joined the opposition. AQAP and its local Abyani fighters, taking the name Ansar al-Sharia, exploited the security vacuum to attempt to establish an Islamic state under their control. Ansar al-Sharia took control of the city of Jaar, Abyan, in March 2011 and the main capital city of Abyan, Zinjabar, in May.[11]

During more than three months in the summer of 2011, heavy shelling, sporadic air and drone strikes, and crossfire between the remaining Yemeni security forces and Ansar al-Sharia destroyed or damaged much of the infrastructure in Zinjabar and surrounding areas. Hundreds of civilians were estimated to be killed and hundreds of thousands were evacuated to Aden or other areas, where they would be displaced for months, many for as long as a year, as the sporadic fighting continued. By the fall of 2011, Ansar al-Sharia had expanded its grip over Abyan and into parts of Shabwa, and began applying its version of Sharia law, and even providing basic services to the population.

Following several military skirmishes in June and July 2012, government forces together with locally supported progovernment armed groups, known as Popular Committees, were largely successful in driving out Ansar al-Sharia. In the military campaign to retake cities like Zinjabar and Jaar, more infrastructure and agricultural lands were destroyed, damaged, or ruined. During the period it was in control, Ansar al-Sharia had taken over many of the standing government offices, including courts, police stations, and medical clinics. As it was pushed out, it looted them, leaving behind further devastation.

Although Abyan was nominally back under government control, the governorate was in ruin. Civilians began to return, but many houses had been destroyed and basic services like medical care or water were not available unless provided by NGOs or charitable groups. Government workers and businesses gradually began trickling back into the government, but by the time the JSDs began in April 2013, government presence was so sparse that most participants reported not seeing a policeman or government official outside of the governor's compound in Zinjabar.

Although Ansar al-Sharia was beaten back by government forces and Popular Committees in the summer of 2012, only a skeleton of security forces remained in the governorate, most confined to their bases, some checkpoints on key roads, and the governor's compound. Security in Abyan was a patchwork of loose Popular Committee control, still frequently contested by Ansar al-Sharia in many areas and creating a security vacuum in others. To illustrate the absence of government security forces, during the first follow-up meetings in Abyan in June 2013, Partners-Yemen observed that even in Zinjabar, the Popular Committees were in control of all checkpoints inside the city and the six main checkpoints around the entrances to the city were controlled by security forces during the day but by Popular Committees at night. The Popular Committees remained in de facto control not only of security, but also basic dispute resolution also governance activities going on in Abyan, a situation that continued at the time of writing.

The lack of government presence in most areas well into 2013 fanned perceptions that the conflict in Abyan was being neglected deliberately. Several of those interviewed

espoused the belief that national political actors were deliberately allowing the conflict to fester in Abyan by leaving security to Popular Committees and not reintroducing government forces in the governorate.[12] Many locals expressed a wish for Ansar al-Sharia to return, because at least it imposed some sort of order.

Marib: Background

Located east of the capital Sanaa, Marib is one of the most marginalized areas in northern Yemen. An estimated 64 percent of the population lives in poverty;[13] most people lack access to basic infrastructure and services, including roads, running water, electricity, education, and health services. State institutions—especially the security and justice sectors—have historically had a very limited presence in Marib. Local tribes have traditionally maintained security and justice, and dispute resolution has been dominated by tribal customs, known as urf. There are only three courts and three judges (including the court of appeals judge) covering Marib's fourteen districts; the three courts are closed more often than they are open.[14]

Marib faced significant security issues prior to the 2011 crisis. In addition to having one of the highest levels of tribal conflict because of the lack of government control, it has long been used as a thoroughfare and base for traffickers and terrorist groups. Many of the jihadis (both Yemeni and other nationalities) who joined the Afghan Mujahedeen in fighting the Soviet Union in the 1980s found a safe haven in Yemen when the fighting ended, settling in Marib and other tribal areas because of the lack of government presence.

Marib has been a strategic location for terrorist or militant groups seeking to attack broader national assets because, although the governorate itself is disconnected and beyond state control, it immediately abuts Sanaa and thus is an easy staging ground for attacks. Significant oil pipelines and electricity lines run through Marib. The Marib-Ras Isa pipeline is the key oil artery in Yemen, taking an estimated 120,000 barrels a day from oil fields in central and northern Yemen to the Red Sea export terminal. Electricity lines in Marib feed the Dhahban power station, the main source of electricity for Sanaa. Spread across large swaths of largely uncontrolled territory in Marib, the oil and energy infrastructure has long been an attractive target to militant groups, disenchanted tribesmen, those seeking to extract rents from the foreign oil companies, and others with grievances against the government.

In February 2011, the antigovernment protests sparked by the Arab Spring spread to Marib. The protests had begun peacefully, but after government forces withdrew from the main highways in March 2011, the overall security situation deteriorated. Criminals and other informal armed groups frequently engaged in banditry and road blockage.

Taking advantage of the security vacuum caused by the political crisis, Al Qaeda in the Arab Peninsula (AQAP) expanded its territory and strength in many areas across Yemen, including Marib. The deterioration of security on the highways allowed AQAP more mobility, and troops drove through Marib to take over parts of Rada'a in January 2012. Throughout 2011 and 2012, AQAP used Marib to launch attacks in Sanaa and other areas. It also began to act more overtly and aggressively, threatening tribes and local populations in Marib and stepping up recruitment. Many interviewees reported increasing trends toward radicalization in some of the nonstate, Islamic education facilities in the governorate.

Attacks on strategic infrastructure escalated in number and severity throughout 2011 and continued through 2013.[15] From March 2011 until July 2012, the oil pipeline was targeted eighteen times, according to official estimates. Throughout 2011 and 2012, repeated attacks on the electricity towers, power cables,[16] and oil pipelines are estimated to have cost the country $4 billion.[17] Major attacks on the power stations meant that Sanaa and other large urban areas were without power or suffered major blackouts throughout 2011 and 2012. Terrorist groups and political actors have been blamed for some of these attacks, many arguing that former president Saleh or others who lost out in the transition period were coordinating attacks to undermine the transition government. But many of those interviewed in Marib believed that the majority of the attacks were carried out by tribesmen seeking to pressure the government to meet their demands or to strike back for personal grievances. For example, many of the attacks were perpetrated by the al-Shabwan tribe in revenge for the killing of former deputy governor Jaber al-Shabwani in a botched air attack in March 2010.[18] Other attacks were motivated by broader tribal or community demands against the government, such as jobs, services, compensation, or disputes over land. Interviewees said that because the government met the demands of some of those who attacked pipelines early on, others were encouraged to do the same.

Some tribes tried to help protect public interests and prevent attacks on pipelines, but the majority did not care that attacks reduced the electricity supply because the population at large believes it receives few benefits from the oil and electricity companies. Before 2012, only two districts, Marib al-Wadi and Marib city, had access to electricity, and the supply was erratic—no more than a few hours a day. In September 2012, electricity was extended to some areas in four districts—Madgel, Majzer, Raghwan, and Serwah. Most areas in the four districts, however, remain without electricity. In addition, many local communities are hostile to the oil companies; they complain that the companies do not provide compensation or services to the communities in which they operate. Although these companies compensate some individuals and tribes richly, the jobs and compensation are often unequally distributed and spark conflict rather than appeasing the local population.

After the 2012 elections, the government redeployed government forces to Marib, primarily in an attempt to halt attacks against oil and electricity assets and prevent criminal or terrorist groups from using Marib as a launching ground for attacks in Sanaa. Government forces regained control of the highway between al-Wadi district and Sanaa, and, by January 2013, government security checkpoints had expanded, providing more protection for the population.49 Yet, by early 2013, insecure elements long present in the governorate still enjoyed greater freedom than in the past, and people interviewed suggested that gang activity (primarily carjacking, robbery, and banditry), hashish trading, and AQAP and other militant activities were all on the rise. The years 2012 and 2013 were marked by continuous attacks on government and security forces, clashes at security checkpoints (sometimes between tribal actors and the government), and reprisals from the government for both.

The rate and number of drone strikes increased significantly in this time, and complaints about drones and air strikes were frequently raised by Maribis interviewed in the initial assessment. The common perception shared by local government actors and civilians was that drones had primarily killed civilians in Marib. Many interviewees argued that drones risked both exacerbating an already complex security environment and sparking tribal conflict.

JSD Issues and Project Design

In April 2013, USIP began preparations for the JSD together with Partners-Yemen, which had also worked with USIP on the initial assessment. Partners-Yemen had long been engaged in governance and justice work in the governorates and had developed ties with communities there. This past experience enabled Partners-Yemen to quickly identify participants and key stakeholders to attend the opening conference for both governorates, launching the JSD process.

The initial JSD conference for Abyan took place on May 13–14, 2013, in Aden and for Marib on May 18–19, 2013, in Sanaa. Each conference was attended by approximately forty participants including local and national government officials and members of the security forces, tribal and community leaders, members of civil society, and members of the judiciary. Participants developed recommendations and suggestions on justice and security issues. A summary of the key recommendations is listed below, with the full list of recommendations presented in annex 2.

Abyan

• Take measures to reactivate state services and functions in the governorate, including appropriate financial, personnel, and resource support.[19]

• Develop a unified security action plan that engages security forces, local police and law enforcement, justice actors, Popular Committees, and citizens.[20]

• Encourage government financial sources to begin reconstruction work and support civilians in Abyan.

• Reach out to civil society organizations and donors to encourage technical and financial support for reconstruction.

• Reinforce and support judicial actors (both security and resources).

• Develop a strategy for reintegrating, dismissing, or otherwise engaging Popular Committees to lead to a state-led security provision.

• Develop cooperation strategies between communities (including Popular Committees) and security officials and between governorate officials and neighboring governorates to respond to threats and causes of conflict.

Marib

• Protect electricity towers and oil pipelines by expanding electricity provision in Marib and compensating citizens whose lands are crossed by oil pipelines.

• Engage local tribes in protection responsibilities, ranging from protecting electricity towers and pipelines in their areas to protecting government institutions.

• Conduct a dialogue between security officials and citizens and find other mechanisms to build public trust and decrease tensions between citizens and security figures.

• Increase military and security checkpoints on main roads used by traffickers and criminals, and increase public awareness to reduce potential citizen-security force tensions or standoffs at these checkpoints.

• Increase government law enforcement mechanisms to meaningfully punish and prosecute crimes.

In addition to these specific recommendations, many participants in both governorates were concerned about the deep, systemic factors that contribute to conflict, most prominently lack of education, lack of employment for youth, underdevelopment, resource shortages, and an overall failure on the government's part to protect and safeguard rights. In particular, in Marib—which has a reputation as a fiercely tribal governorate, often opposed to state law—nearly half of the participants said that security meant protecting human rights.

Female participants and organizers at the first justice and security dialogue for Marib, Sanaa city, May 2013. Photos by Fahd al-Abassi.

Participants in both governorates noted that, given the predominant conditions of poverty and unemployment, youth were vulnerable to radicalization. As one participant, a local government official, noted in follow-up questions about the effectiveness of the initial conference, "In relation to security, what has been discussed during the seminar is the essence of the problems, but human development issues form the pillar of troubles in Marib. Marib problems are not purely security related but rather development and economic based." Groups such as Ansar al-Sharia could be stopped in the long term, many participants argued, only through deeper investment in education, greater awareness of the root causes of conflict, and better work opportunities.

At the conclusion of the initial JSD conferences, both groups selected participants to take leadership roles in pursuing the next steps and action points to be worked through in the subsequent months. (The committees they formed are referred to here as "JSD follow-up committees.") The Partners-Yemen team identified other local actors to work with the JSD follow-up committees on particular issues as needed. The scope of these follow-up actions was flexible: they might consist of local meetings between and among government officials across different sectors; meetings or small events bringing together government officials and citizen groups; meetings among local citizens, civil society groups, and other local stakeholders; and facilitated meetings between national and local actors.

The original project design was to organize two initial large-scale dialogue conference (one for each governorate), then conduct several months of follow-on meetings and small dialoguing in each governorate with the JSD participants and communities, and finally organize a second round of large-scale conferences for each governorate in August or September 2013, bringing together conclusions. However, in the initial conferences, it became clear that to resolve many of these issues what was needed was not more general, large-scale discussion but time for local actors to figure out—jointly and cooperatively—how to achieve tangible results and concrete outcomes at a local level. For this reason, after the initial opening conferences, the initial project design was altered. The second round of large-scale conferences was canceled, and the funds were instead repurposed to support more small meetings between individual stakeholders or small groups, both at a local level and between national and local actors. The intent was to allow local officials and community stakeholders more time and space for collective decision-making and problem-solving, as they worked through these very difficult and complex issues. In addition, the timelines for funding of the project were extended to allow more time to develop or implement recommendations.[21]

A key component of the project design was for the JSD process to enable national to local engagement. Many of the issues required not only local trust building and cooperation but also national decision making. For example, the issue of whether Popular Committee militias would be integrated into security forces or replaced with regular security personnel was ultimately a decision that had to be taken by the

Ministry of Defense (MoD). Allocation of reconstruction or development funds, critical recommendations in both governorates, also depended on national decision making.

In addition, the initial assessment found that local actors in all four governorates (Aden, Taiz, Abyan, and Marib) blamed unresolved national political tensions for continuing instability.[22] Local actors argued that power struggles at a national level incentivized fights for political and physical local control. Despite the crucial need for competent officials, appointments to new government positions were based on party affiliation rather than merit, as the two main parties to the GCC agreement struggled for institutional control down to the lowest-level minister. Where political parties or other significant political powerbrokers did not succeed on a political level they resorted to instigating physical violence, include sabotaging oil pipelines and electricity towers, attacking government positions or assets, conducting assassinations, and fostering other sources of instability. To solve local security and justice issues, the sources of conflict at the top would have to be engaged in the process.

Beyond the specific issues raised, the tenor of the transition period and the scope of proposed national reforms made it impossible to ignore the national dimensions of any local security or policy issue. In particular, the National Dialogue Conference (NDC), the flagship reform process under the GCC transition agreement, was ongoing at the same time as the JSDs.[23] The NDC's agenda was all-encompassing and included many issues that would affect local justice and security reforms and improvement—from considering a move to a federalist system (ultimately deciding yes) to restructuring aspects of security forces. Because of the NDC's dominance of the political bandwidth, it was difficult to discuss changes to security and justice issues in Yemen during this period—including through local JSD initiatives—without considering the parallel discussions in the NDC. The NDC also absorbed the attention of many of the national and local actors who would be necessary to engage in a JSD.[24] With 565 representatives of political parties, tribal leaders, women, youth, and civil society actively taking part in the NDC, and thousands more working behind the scenes or engaged in parallel or related processes, many of those who might be engaged in activities such as JSDs were consumed with the NDC.

For all of these reasons, although other JSD processes have engaged a national component, the Yemen JSD had a deeper emphasis on this national engagement from the onset. The initial conferences were held in Aden and Sanaa, rather than in Abyan and Marib, in part out of security and logistic concerns but also to enable participation by national and international actors.[25] During the follow-up period, members of the JSDs and local officials traveled to Sanaa to meet national-level counterparts and officials and donors about local-level justice and security issues, sharing progress on local initiatives. For each governorate, two to three of these Sanaa outreach trips were incorporated as a critical part of the JSD design, with local coordination and organization often geared toward these trips.

Abyan JSDs

The scope of devastation and government control issues in Abyan created overlapping barriers to action that made progress on any one justice or security issue challenging. Many of those displaced for over a year had returned by the beginning of 2013. But with basic humanitarian conditions unmet, minimal public services, almost no functioning government, and high levels of criminal activity and insecurity, the local justice and security challenges were enormous. Most public buildings had been destroyed or severely damaged. By the summer of 2013, the basic services of electricity, water, and telecommunication had been restored (at least in the main cities, where they had existed previously), but many other services were not operational. Ansar al-Sharia had retreated but not disappeared. Popular committees preserved pockets of security— repelling Ansar al-Sharia advances, arresting those perceived to violate the law, and threatening those who might—but criminality was rampant.

The lack of government services and activity so long after government control had nominally resumed contributed to a lack of confidence among citizens that the security situation would normalize, and in turn made them less likely to return to Abyan or to prioritize anything other than self-help and self-protection. For example, in an early JSD meeting, the deputy governor raised the concern that although the disbursement of reconstruction funds first to individual reconstruction needs might in theory allow individual families to rebuild, it resulted in the delay of rebuilding government facilities and in doing so created a situation that discouraged individuals from making such investments. He argued that leaving local facilities such as courts and local administrative buildings in a state of disrepair created the impression that the government did not care about its ability to restore security or justice in the governorate.[26] As a result he noted that "people who received the compensation [from the Abyan reconstruction funds], used the money to purchase arms to protect themselves [rather than to rebuild their homes]. They are afraid the bad situation might return due to the absence of the state security."

Despite the horrific conditions in the governorate, Abyanis had two advantages that made progress possible. First, although the rule of law and any semblance of normal government functions had been broken in the year of conflict and Ansar al-Sharia rule, there was nonetheless a memory of what state-controlled and -enforced rule of law looks like, and a common belief that restoring this state presence was necessary for

stability. Voicing the concerns of many present, a prominent local Popular Committee leader, Abdul Latif, argued in the JSD plenary session that "the credibility of the state is the most important factor for restoring stability." This baseline understanding and buy-in for some level of state control was a significant asset.

Second, despite the widespread destruction and significant humanitarian and livelihood shortfalls, resources had already been earmarked for Abyan. National actors and donors had made specific promises to address security and reconstruction needs in Abyan. Officials needed to assume responsibility for demanding that those resources be used in ways that responded to local needs or existing shortfalls.

Ultimately, perhaps because of these two factors, the JSD in Abyan had more success in terms of achieving concrete improvements in security and cooperation than the one in Marib. The examples below illustrate how some of the issues or processes were addressed by the Abyan JSD.

Spurring Local Official Cooperation and Initiative

Beyond the physical challenges in Abyan, one of the major hurdles was local Abyanis' lack of confidence in their ability to change their situation and the absence of a collective readiness to work together to make a difference. In part, this was due to the overwhelming and overlapping nature of the challenges. Abyanis tended to argue that the problems were too big in scope for them as individuals to have an impact. The prolonged conflict and displacement had broken many of the systems—formal and informal—that might have generated collective action.

Partners-Yemen team members and follow-up committee meet with representatives of the prime minister on June 30, 2013. Photo by Fahd Abassi.

The sense that Abyan's problems were too big for Abyanis to handle alone was exacerbated by high-level promises that others would step in and resolve the problems for them. The Abyan takeover by Ansar al-Sharia generated significant domestic and international attention and elicited repeated, high-level promises—from President Hadi to the US ambassador to Yemen—to rebuild Abyan. Battered and disorganized after a year and a half of crisis, Abyanis latched on to these promises, and—whether intentionally or not—used them as an excuse for inaction.[27] Many took the promises of help not as charitable gestures, but as promises to pay something owed to Abyanis for enduring and collectively standing up to AQAP. As one mullah who participated in the JSD argued, reflecting the views of many others present, "Abyan paid the price on behalf of the international community." Locals' sense that restoring Abyan was not primarily their responsibility fed inaction and contributed to the standstill on progress in Abyan.

One of the first priorities was for USIP and Partners-Yemen to engage local officials in working on the recommendations arrived at by the participants in the JSD, encouraging those officials to engage in broader consultation and to transform the general recommendations into specific steps or requests to be forwarded to the national government. This involved promoting simple confidence- and trust-building measures among local officials. Many officials did not coordinate with each other or were only vaguely aware of other officials with whom they should be working. Even where connections had been made, officials often were not motivated to work through local issues. Many sat in their offices, or stayed in Aden. State officials who found themselves in Abyan among these conditions expressed incredibly low morale and a sense of abandonment by the national government that had placed them there without adequate support. They argued that they had been presented with the unrealistic and daunting task of fixing Abyan without even basic resources, including functional offices, transportation, weapons and other basic equipment.

Some of steps of the JSD taken by Partners-Yemen involved simple tasks such as encouraging officials to meet with each other, to reach out to citizens to assess their needs, and to collectively develop lists of demands or recommendations. Once needs were identified, Partners-Yemen worked with local officials to submit formal letters or requests to the appropriate national-level officials. One Partners-Yemen staff member reflected: "At the start of this project in Abyan, the local officials thought it was their job to wait for the national government to do things. But national-level officials are too busy with national politics and also with other governorates. We had to teach them to go to them [the national actors] and also who to go to."

This mentorship continued during three visits that the follow-up committee made to Sanaa, organized by Partners-Yemen (June 28–July 2; November 18–20; and February 15–20). Partners-Yemen set up the meetings with a variety of actors, including the

deputy minister of justice; representatives of the NDC; the prime minister's office; the director of the police academy; members of parliament; the minister of planning and international cooperation; the attorney general; and the International Organization for Migration (IOM) (an implementing partner for the United States Agency for International Development's Office of Transition Initiatives [OTI]). Partners-Yemen also worked with JSD members on talking points, recommendations to push for, and the specific official processes that might be needed.

By the third and final meeting in Sanaa, the Abyanis were driving local coordination, development of proposals, and need requests. They proposed many of the meetings in Sanaa and demonstrated independent initiative in following up on requests. For example, after making a request, in a Sanaa meeting, related to the staffing of courts, two JSD committee members continued the dialogue with Ministry of Justice officials, helping to suggest and nominate appropriate officials and coordinating with them to ensure that the selection process was seen through to appointments. As another example, early in the process, the governor and his security issues staff decided that a key problem was that they did not get enough support or response from national-level ministries. However, they were not often in touch with national-level actor and had not made specific requests until Partners-Yemen worked with them to do so. By the third meeting in Sanaa, these officials had arranged meetings with appropriate officials (whom they had made contact with on prior visits) and successfully filed resource requests that helped them carry out their work in Abyan.

Partners-Yemen and JSD members at a follow-up committee meeting with the deputy minister of justice. June 29, 2013, Photo by Fahd al-Abassi.

Working through Institutional Processes (Justice Institutions)

What is notable about these efforts is not only that they spurred local officials to respond and address local needs (with consultation) but that they did so by reinforcing rather than diverting from existing processes. A common weakness of foreign development interventions in crisis situations is that in focusing on stabilizing a situation, the interventions may generate results by creating parallel or alternate processes rather than by working within existing institutional processes. In the long term, this can distract from rather than support institutional development, or it may contribute to a delayed return to normal government functions. In the Yemen JSD, what was ultimately requested by the JSD committee members was done through regular budgetary and bureaucratic processes.

Efforts to strengthen the judiciary illustrate how the JSD played into and supported regular processes, but require a little background to understand the nature of the requests. Prior to 2011, despite its small size and predominantly rural and partially tribal demographics, Abyan had a relatively well-established and functioning judiciary. The number of new cases generated per capita, was roughly half of that in more commercial and populated governorates such as Taiz and Hodeida, but appreciably higher than in governorates in which citizens relied predominantly on alternative dispute resolution, such as Marib and Shabwa.[28] However, during 2011 and 2012, many judicial facilities were damaged or destroyed, including the Zinjabar court of appeals, the Zinjabar primary court, and the central prison. Ansar al-Sharia occupied many other judicial facilities, and looted them when they fled.[29]

The primary court in Zinjabar, Abyan, after damage and looting in the 2011 conflict. June 17, 2013, Photo by Fahd al-Abassi.

In addition to the infrastructure damage, most judges, prosecutors, lawyers, and support staff were displaced. Given the ongoing issues in criminality and the stoppage of regular government functions, many personnel had not returned. With this level of facility destruction and security threats, at the time the JSD commenced, judicial and law enforcement entities for Abyan were operating from Aden if they operated at all. The investigation office, the main detention facility, the court of appeals, and two of the nine primary courts were operating solely or primarily from Aden throughout the time period of the JSD.[30]

The halt in judicial functions during the Ansar al-Sharia takeover from mid-2011 to mid-2012 created a large case backlog. For example, Ministry of Justice (MoJ) data on the number of cases resolved in 2011 and 2012 show that Abyan's judicial system failed to resolve 99.9 percent and 99.4 percent of the caseload, respectively. This low level of performance undermined confidence in the government's ability to uphold the law, such that citizens increasingly stopped turning to courts or law enforcement to solve their problems. Illustrating this, the number of new cases brought by citizens plummeted from 1,251 in 2010 to 12 in 2012. As time went on, citizens increasingly said they wished for a return of Ansar al-Sharia because at least their "Waqar" courts delivered justice and enforced law.

The JSD committee,[31] with input from citizens, civil society, and judicial actors, identified a number of issues that needed to be addressed to help fix this situation:

• Repairing damaged or destroyed facilities: A top priority was rebuilding or repairing judicial facilities that had been damaged or destroyed. Although nearly all facilities had some damage, the committee offered estimates suggesting that rehabilitating the courts in Zanjabar and Ja'ar alone would cost the ministry no more than 10 million Rials ($46,511). The committee requested that national-level officials at least provide information on the plan to rehabilitate facilities and when the plan would commence so that local actors could plan and sequence other steps for restarting judicial services.

• Addressing the absence of judges and prosecutors: To restore the judicial review of disputes, judges and prosecutors would have to report back to duty. Two or three additional judges were needed to deal with the backlog and with shortages that existed even before the 2011 crisis.

• Appointing a third judge on the court of appeals bench: The chief judge in charge of criminal matters for the court of appeals fled out of fear of revenge by convicts whom he had sentenced and who had escaped in the damage to Abyan prison in 2011. Without a full bench, the court of appeals could not hear any cases under Yemeni law.

• Taking measures to clear the high backlog and long-standing cases: In addition to urging that all staff get back to work and that additional judges be assigned to Abyan, local lawyers and judges proposed creating a temporary special court or special process

to accelerate the resolution of long-standing cases and jump start judicial review of disputes.

• Repairing and reopening the central prison: Restoration of prison facilities in Abyan, argued local judges and lawyers, was essential to restarting criminal justice functions. Criminal defendants who had not escaped were still kept in the Aden prison, which made transfer for criminal trial and sentencing in Abyan unrealistic in practice. Given the ambient security concerns and the lack of resources (including vehicles for transporting inmates), it simply was not possible to transfer inmates from Aden to Abyan to appear for trial and sentencing so these cases were simply indefinitely on hold.

These recommendations were presented to the relevant national ministries by letter, and then followed up on during the outreach trips to Sanaa. When they received such requests, national-level officials placed requests through the regular bureaucratic system (they were prodded to follow up on these requests in subsequent meetings or by queries from the JSD follow-up team). Following the first outreach trip to Sanaa, the justice minister requested that the judiciary investigation committee and the head of the supreme judicial council to look into concerns that the criminal court was not functioning in Abyan and that the provision of justice was not adequately supported.

The persistence of the JSD committee clearly paid off with regard to appointing a third appeals court judge. Following JSD requests, the minister of justice issued an order requiring all justice officials to report back to work and, with the head of the Supreme Judiciary Council (SJC), asked local judges (liaised with via the JSD committee) to nominate a judge to take the third, open position on the criminal court.

Appointments of judges in Yemen are based on a regular three- or five-year rotation cycle. According to MoJ staff, staff of the attorney general, and the SJC (all of whom the JSD petitioned), appointing replacement or additional judges outside of the regular judicial rotation cycle would require a special process. Although all relevant ministerial actors agreed with the JSD committee that this was a situation for which special processes were designed—Abyan could not wait several years until the next rotation cycle to have a functioning appeals court—some follow up was necessary for change to happen. By meeting successively with all the relevant actors, including members of the president's office, and keeping the issue alive, the JSD was able to help move this process forward. By March 2014, all relevant government stakeholders had agreed to move forward on appointing a new appeals court judge through the special appointment process. Reports after the JSD ended were that the appeals court was functioning normally.

Not all requests made by the JSD committee were resolved as successfully as the judicial appointments issue. In response to the JSD committee's request regarding

reconstruction, the justice minister wrote a letter to the Ministry of Finance requesting the allocation of 62 million Yemeni rials to start the rehabilitation of several courts and judicial facilities in Abyan; despite repeated follow-up efforts, no new funds had been released by March 2014, when the JSD closed. Requests were lodged with the Ministry of Interior (MoI) and the attorney general's office to rehabilitate the Abyan prison. In response, staff from MoI visited the prison and promised to rehabilitate it, but as of the close of the JSD, reconstruction had not taken place. As of the time of writing, Abyan prisoners were still being held in the Al-Mansoora prison facility in Aden.

Although there have not been satisfactory solutions to these issues, the fact that requests were initiated and that some institutional movement was undertaken toward satisfying them is an important step. Moreover, because the JSD worked to identify solutions within regular processes and to work with the relevant local officials to propose those solutions, there is a strong possibility that there will be further follow up and ultimately solutions. The most important outcome of this process was not any single result in the course of the few months of JSD programming but that it empowered local officials to identify concerns among Abyan citizens and to work to solve them. The more that regular institutional processes are restarted in Abyan toward addressing local justice and security needs, the more likely it is that regular and effective state-enforced rule of law might re-emerge in the governorate.

Encouraging Local Cooperation and Trust

Successful meetings in Sanaa often spurred greater cooperation and new initiatives on the ground in Abyan.

In developing the requests that were presented in Sanaa, local officials consulted other government employees, members of civil society, citizens, and other stakeholders in the community. Sometimes the act of gathering information about needs to develop requests for the Sanaa outreach trips prompted further collaboration and collective problem solving at a local level. For instance, the governor and other security officials conducted consultations to identify possible long-term solutions for the Popular Committees. In addition to developing recommendations that were subsequently raised in the Sanaa outreach discussions, this process led to an improvement in cooperation between government security forces and Popular Committees on local security issues. To offer just one example: some of the checkpoints that Popular Committees had been operating were restored to the security forces.

When the JSD committee was able to demonstrate success at getting recommendations heard and responded to, these signs of concrete progress in turn gave locals confidence that something was happening, which made them more willing to do their part. The

strongest example of this regards reconstruction of the Abyan appeals court, which was destroyed in fighting in 2011. During its first visit to Sanaa, the JSD committee met not only with Yemeni government officials but also with the OTI implementing partners IOM, which had active stabilization and reconstruction funds for Abyan. The JSD committee described the impact of destroyed or damaged facilities on rule of law functions in Abyan. Although the immediate response to the request was a statement that IOM did not engage in infrastructure development or the justice sector, when the committee showed the IOM representatives photographs of the damaged building, IOM changed its position and authorized renovation of the criminal court in Zinjabar. It later followed up with members of the JSD committee to consult on estimated needs and costs of repair. Members of the JSD committee helped form a local control committee responsible for overseeing the rehabilitation of the criminal court and ensuring local accountability over the tenders opening processes.[32]

The decision to renovate the court was perceived by locals as a success story and an all-too-rare example of concrete progress made on reconstruction. Seeing this progress made it easier to elicit local commitments for support for the judiciary. Noting that the judiciary faced resource issues as well as security concerns, members of the national council offered to convene a meeting among local stakeholders in Abyan about protecting judicial staff.

On August 29, 2013, sixty-three local elders, sheikhs, civil society organizations, local officials, youth, and others gathered in the National Dialogue tent. They publicly pledged (and signed a document) to help protect judicial actors and resources. Following that pledge, members of the community voluntarily safeguarded and protected the site during reconstruction of the criminal court.

In reference to the JSD activities, Judge Qaiser, the acting head of the appeals court in Abyan, told Partners-Yemen, "You people and your organization did a lot for Abyan governorate. You have moved the judicial and security situation to a better position, because of your efforts and the meetings your organization arranged."

Popular Committees in Abyan

Although citizens recognized the security benefits provided by the Popular Committees, the status and future of Popular Committees were also one of the major concerns and recurring themes in the JSD dialogues. Since they had helped expel Ansar al-Sharia in 2012, Popular Committees had grown in power and influence. In addition to controlling security in Abyan, Popular Committees have increasingly taken on other tasks, including some functions of governance and management, dispute resolution, and service provision. One local human rights activist declared during the Abyan JSD

conference that "Popular Committees have replaced the state in every sense of the word." Some of the more prominent Popular Committees had even taken on a quasi-government status by late 2012: they were provided a monthly sum by the MoD[33] and were openly carrying out law enforcement with the seeming authority of the state.[34]

Many Abyanis argued that while someone needed to fill the security vacuum and begin taking on these important functions, it was the responsibility of the state, not of ad hoc militia groups. In addition, there were increasing reports of some Popular Committee members taking money at checkpoints or causing security incidents. Abyanis worried that if allowed to operate unchecked, Popular Committees would soon become part of the security problem in Abyan. Meanwhile, with Ansar al-Sharia still present and increased levels of crime and more frequent disputes overall, many people argued that the security dynamics were too serious and too complex for inexperienced, uncoordinated, ad hoc militias to handle.

Abyanis (both at the initial JSD conference and in the prior assessment and preparatory interviews) argued that President Hadi, the minister of defense, and other national-level actors should take action to reassume full control of security, governance, and dispute resolution in Abyan. It would not be possible to disband the Popular Committees immediately they argued, because a security vacuum would result given the lack of state forces in the governorate. Abyan would be thrown into a crisis similar to the one of 2011 and Ansar al-Sharia would likely return. But once state security forces reassumed their duties, the Popular Committees could, and should, be disbanded. Although there were disagreements about how to do this among different JSD participants, many argued that individual members of Popular Committees might be trained and integrated into security or law enforcement if they were qualified and interested. Meanwhile the Popular Committee members who were doctors, teachers, lawyers, and students could return to their normal civilian lives, which in itself would be an important step toward recovering normal life and business in Abyan.

In each of the JSD committee outreach trips to Sanaa, these suggestions for resolving the Popular Committee issue were raised with national officials, including the minister of defense and other high-level officials in his ministry, members of the president's office, the prime minister's office, high-level MoI officials, and NDC delegates. Access was particularly good because President Hadi and many high-level MoD and MoI officials are from Abyan.[35] The Abyan JSD representatives had more frank discussions with many of these high-level officials than might have been the case had the representatives come from other governorates. But the fact that these officials were from Abyan ultimately did not lead to any appreciable movement on the issues in question. Although the national officials had the ability to make policy decisions that might address local security concerns, there was little progress in the requests made, and no

sign that the national officials would tackle the Popular Committee issue in the near future.[36]

This stalemate led to great disappointment among JSD members and local officials. It fed into broader suspicions that national actors were deliberately neglecting the Abyan security situation because it suited their interests. Remembering how Saleh used jihadi groups to defeat Southerners in the 1994 Civil War, Abyanis feared that history was repeating itself with Popular Committees. With north-south tensions again on the rise and many southern al-Hiraak leaders arguing for an independent state, Abyanis argue that leaving Popular Committees in control in Abyan, and supporting them directly, gave the Sanaa-based government a powerful potential check against southern secessionists, much as the jihadis were used in the 1990s.

Whether these cynical explanations for government inaction are accurate or not, JSD efforts to address Popular Committee issues yielded very few results. No progress was made in terms of national decision making, and very little progress was made in terms of state forces resuming control from Popular Committees.[37] As a result of JSD-inspired discussions between local officials and Popular Committee leaders, at a local level, tensions between Popular Committees and state security forces reduced and cooperation to better combat criminality and extremist elements improved. The MoI agreed to meet additional requests of local security officials for equipment and support, made in the course of JSD visits, a decision that might eventually contribute toward security forces assuming greater responsibility for law and order in Abyan. Although these small gains in local cooperation and security coordination are important, the structural issue of ad hoc militias bearing primary responsibility for security and rule of law remains a problem in Abyan.

Outcomes of the Abyan JSDs

The type of local coordination and collective problem solving that was occurring by the end of the Abyan JSD was the type of process that JSDs are designed to create. The local Partners-Yemen team noted that by the end of the JSD, the Abyanis had taken ownership of the process. They were confident that the type of local problem solving engendered by this project would continue after the formal close of the JSD. As one Partners-Yemen staff member noted, "In this project we were able to make significant improvements in cooperation between local authorities, between judges, prosecutors, the governor, security officials, all different parties and groups. Then once they had coordinated amongst themselves to bring it to the national level, with a greater voice, with a better strategy." Speaking of the JSD-facilitated activities, the governor of Abyan noted, "This triggered the Abyanis to take action."

Marib JSDs

The JSDs in Marib played out very differently than in Abyan, largely because of the difference in the nature of the issues. As in Abyan, much of what the Maribis were requesting was greater state engagement in local justice and security issues. But unlike in Abyan, there had been no meaningful state presence historically. This meant that the problem was not purely a resource challenge (although resources challenges were also significant) but conceptual. Maribis could not rely on simply restarting past systems. What was needed was a fundamental rebalancing of the relationship between informal and formal systems of power—toward one in which the state is able to play a greater role that is accepted and respected by the population. This was particularly challenging given the existing, significant tensions between the state and local communities.

Because of this conceptual gap, whereas in the Abyan JSD, the issues were relatively clear from the initial JSD conference, and the remainder of time was spent trying to make progress on them, in the case of the Marib JSDs, issue development was the main activity throughout the JSD. Simply bringing actors together was itself a major hurdle and significant accomplishment. In addition, the Marib JSD was far slower to develop because of competing issues ongoing during the time of the JSD related to tribal feuds. Ultimately, the Marib JSD did make progress in issue development, but for the purposes of this report, the more valuable lessons learned come from exploring the challenges that the Marib JSD faced.

A New Vision for State Engagement

In Marib, there has been virtually no history of positive government service delivery and engagement, and this was generally how Maribis preferred it. To the extent that there was any government presence or engagement, it tended to be resented. A common perception was that state actors in the governorate were there to protect state interests rather than to serve the population. For example, security forces present in Marib were largely deployed along the main highway to Sanaa and surrounding strategic electricity and oil resources, rather than in protection of the population.[38] They frequently clashed with tribal actors, who saw them as a foreign presence.

The discussions in the initial JSD, however, were not consistent with these historical trends. The most common recommendation or request by Maribis during the initial assessment was to strengthen and expand the formal security and justice presence in

Marib. The reason for this shift in attitudes toward government intervention is that recent conflict dynamics and social changes have overwhelmed and undermined traditional tribal structures. Whereas previously Marib relied on the tribal system to maintain basic law and order, most Maribis interviewed (including tribal leaders) thought that the tribal system could no longer handle the current security situation alone. Some argued that this was due to a widespread loss of respect and adherence to tribal traditions and customs among the younger population. Others maintained that the militants and other criminal elements were simply too difficult for the tribal sheikhs to control. The rise in targeted assassinations in Marib and other areas by militants in recent years led tribal sheikhs to fear that they would be targeted if they resisted these armed groups or spoke out against their criminal practices. "If there were effective courts, the tribes would go there. People are eager to see functioning state institutions," argued Abdullah al-Aqeeli, an interviewee in the original assessment. Sheikh Mufarreh Beheibeh explained, "Sheikhs want to see state institutions functioning in the governorate more than anybody. They are tired of having to deal with the burden of resolving conflicts constantly."[39]

But while in recommendations, Maribis openly suggested greater government engagement and intervention, in practice, Marib communities remained extremely hostile and uncooperative with government actors who were present.[40] As a result of this tension, suggestions that were made in the initial JSD conference, or in preliminary discussions, were often contradictory or would have been difficult or impossible to put into practice. For example, it seemed unlikely that more judicial actors could be deployed to the governorate (as was proposed in the initial JSD conference) given that communities were so hostile to the idea of formal justice that these individuals frequently found themselves threatened or their sentences disrespected or poorly enforced. Similarly, while Maribis called for more government security checkpoints and patrols in populated areas, in practice, government posts continued to be attacked, not just with terrorist or criminal elements but also with the local population. The degree of local cooperation was simply too low for many of the cooperative proposals made—for example, state and tribal cooperation in capturing AQAP[41] or for an expansion of the judiciary —to be implemented.[42]

As Partners-Yemen dug deeper in the follow-up period—meeting with different JSD participants, tribal actors, and local officials—it became clear that their vision for what a cooperative, productive relationship between Maribis and the state would look like was fuzzy. Many proposed greater state responsibility for security in Marib, but when pressed, what they actually appeared to support was models that were, at best, hybrid models of state-nonstate security.[43] In reality, many Maribis wanted the purported benefits of state engagement, but without any actual state interference or erosion of tribal authority.

There was also a large expectation gap between what Maribi communities thought was important for resolving security and justice issues and what local officials were prepared to offer or thought was feasible. Much of this gap was the result not simply of to state-community differences in Marib but of larger resource and funding shortages in Yemen. For example, to address underlying sources of conflict and reduce the radicalization and recruitment of youth, Maribis recommended expanding state-sponsored development, ranging from more education to more jobs. To prevent attacks on electricity pipelines, Maribis recommended providing electricity on a widespread and regular basis to more parts of the governorate.[44] In contrast, a local security official engaged by Partners-Yemen in one of the early follow on meeting suggested that addressing security issues would require practical steps such as creating alternative oil pipelines and power lines, asphalting the ground surrounding security checkpoints to prevent improvised explosive devices (IEDs) and explosives from easily being buried, and building alternate roads to take pressure off of the main highway.

As a result, much of the first months following the initial JSD conference were spent in conversations with different JSD participants to try to parse out the recommendations. In addition, efforts were made to try to engender more collaborative thinking between local community or tribal actors and between state representatives – a task which often, frankly, did not succeed because the gap in cooperation was simply too large.

To engender more substantive proposals and local coordination and follow-up, Partners-Yemen staff traveled to Marib to discuss the issue with JSD officials and other locals. Staff met repeatedly with representatives of Marib in Sanaa, including the governor, key tribal leaders, representatives in the NDC, and members of civil society. After nearly six months of significant prodding, mentorship, and small-level dialogue development, Maribi JSD participants and local officials developed a "justice vision" and a "security vision." These visions not only included a realistic appraisal of the limitations, but suggested tangible changes and demands that might be achievable. For example, they included suggestions ranging from "forming facility friends committees, involving security guards and young people from surrounding neighborhoods" to forming a committee of tribal arbitrators charged with improving connections between informal and formal justice actors. Full translations (courtesy of Partners-Yemen) of the security and justice visions are in annexes 3 and 4.

Lack of Bandwidth, Locally and Nationally

Encouraging cooperation was difficult not only because of the tensions in the fundamental relationship between state and nonstate actors, but also because of competing initiatives or problems that distracted attention from the JSD during this time. Throughout the course of the JSD, Marib was rocked by repeated instances of tribal conflicts, conflicts between tribes and military (frequently sparked by checkpoint

altercations), continued attacks on oil pipelines and electricity towers, and AQAP attacks. Many of the locals who participated in the JSD or would be critical in the follow-up were occupied fighting these multiple fires.

The governor in particular, who was highly favorable to the JSD initiative, was consumed with negotiations over attacks on electricity towers and other tribal issues throughout much of the JSD period. Despite several meetings with the governor and his agreement to work with the JSD project, he was often too busy mediating tribal disputes to participate in JSD activities and had to cancel scheduled meetings.

The time spent trying to get support from the governor (among other officials) delayed progress on some of the issues. For example, many participants in the initial JSD event for Marib argued for a greater need for formal justice systems in Marib and for greater enforcement of rights. The governor stressed that expanding the formal justice system and the state protection of rights should be one of the first priorities in follow-up activities and suggested that he would take the lead. Having his leadership on such an issue was important not only because of his position as governor but also because of his reputation as a tribal mediator. He would be a natural link between the tribal system and the judiciary or other state actors.

Yet, after several months of meetings and requests to the governor, the JSD ultimately had to go forward on the issues with other actors. Partners-Yemen facilitated a meeting between key tribal leaders engaged in dispute resolution and Maribi judicial officials to discuss ways the two spheres of justice provision (formal and informal) might support each other. Coming out of these and other meetings, JSD participants developed a justice vision for Marib that included a modest expansion of the judicial system (premised on a hub-and-spoke model of more courts in different quadrants of Marib city that citizens even outside of Marib city could access), more training for judicial actors in Marib, and mechanisms to encourage greater coordination between tribal justice mechanisms and formal justice provision.

The lack of bandwidth to engage at this time was not an issue only with the governor and local officials, but also at the national level. Trying to initiate an overhaul of state-local relations, and asking the state to take on more local responsibilities at this time, was almost doomed to fail because of the much wider political challenges confronting Yemen in this transition period.

Sustainability and Buy-In

Given that identification of a security and justice vision seemed to be of greater value for Maribis, the final activity in the JSD program in Marib was designed to increase

buy-in and ownership of the vision that had been created. Organizing such an activity for the final event was motivated by the rationale that even if tangible steps had not been possible within the course of the JSD, if local and national actors took ownership of this vision, that in itself might serve the goals of the JSD in terms of increasing local cooperation and problem solving. It might also increase the chances that the objectives would be followed through after the end of the JSD.

At the end of January 2014, Partners-Yemen traveled to Marib for a series of meetings with the governor and other officials about the justice and security visions. They presented their ideas to the governor and other officials (including the security director and the local military commander) to get their feedback and buy-in. The governor and the officials embraced the ideas from Marib and agreed to engage in follow-up meetings in Sanaa or to take steps toward implementation.

Independent of the JSD discussions, two other interest groups emerged with related demands for Marib: the Hiraak as Sabayeen group, also known as the Sheba group, and the Marib issue group. They have been petitioning officials and actors at the national level (for example, the NDC and many of the executive offices charged with implementing it) about their demands, which range Maribis receiving a greater share of oil revenues to improving education and employment opportunities for youth in Marib.

As a way to broaden the JSD to engage with other ongoing discussions about justice and security reform in Marib, Partners-Yemen reached out to these two groups to see if any concerns overlapped. Partners-Yemen then invited representatives of both groups

Meeting with Hamed Al-Dharab, Marib Security Director, as part of Marib JSD outreach, December 25, 2013.

to join a final convening activity, on March 16, which brought together thirty members of the JSDs, local Maribi officials, representatives from these two interest groups, other civil society representatives, and national-level decision makers. Those present also included two representatives from a committee that the president appointed to work through Marib issues. The objective was to encourage discussion about the security and justice reforms needed in Marib, including those suggested in the justice and security visions, with the hope that the president's committee would take some of the reforms through the next stages of implementation. All offered their reaction to and interpretation of the security and justice vision.

Ultimately, all participants endorsed the vision, and offered a number of suggestions for its short- and long-term implementation. Reaching this point within the course of the JSD was a real accomplishment given where the Maribis started and the type of dialogue or engagement needed to conceptualize such fundamental issues. However, it was only possible to reach this preliminary "visioning" stage within the course of the program. The equally difficult step of trying to implement some of these solutions cooperatively was not possible within the scope of the JSD. Given how difficult it was to get even this level of cooperation—attained only by constant prodding and engagement by program facilitators—local cooperation seems unlikely to continue under its own steam. Follow-up at this critical stage seems imperative to translate common goals into concrete achievements.

Outcomes of the Marib JSDs

In some ways, the Marib JSDs ended at a level of dialogue and engagement that the Abyan JSDs began with. While this meant that there were fewer concrete outcomes from the Marib JSDs, it does not necessarily mean that it was any less successful. To address local justice and security issues in Marib will require not only significant tangible resources and investments—from expansion of security services to building courthouses to increasing government staffing—but an equally large shift in the basic conception of state versus citizen control. Maribi tribes and communities, on the one hand, and the national and local government counterparts, on the other hand, began the dialogue process from very different positions. Thus, much time was invested in building consensus and bringing the parties closer together. Getting the actors represented at the final meeting—representing a wide swath of tribal, government, political party, and civil society interests—to buy into the justice and security visions was a huge achievement.

An additional benefit was that the process of negotiating and discussing these issues over a number of months created opportunities for cooperation that had existed rarely or not at all prior to this project. Those who participated noted that this was the first

time the security director brought together all his disparate forces in order to get their recommendations on security, and it was the first time the governor took the initiative to bring together the army and other security forces.

A final consideration in evaluating the outcomes of the Marib JSDs, particularly in contrast to those in Abyan, is the scope of the issues addressed. Many of the recommendations that came out of the Marib JSD process were much too ambitious to be accomplished within the short span of the program. Whereas the Abyan JSD wanted to refurbish specific courts, or have a specific judge assigned to the court, Maribi demands were much broader in scope—for example, calling for the creation of a formal justice system in the governorate.

Such changes are not only ambitious in terms of the resources required, but are also more challenging because they depend on the outcome of broader national discussions about rebalancing power and resources among different governorates and between national and local levels. Because issues are so complex and demand a different level of national level attention than resource requests (which dominated Abyan demands), the JSD work in Marib was more difficult and took longer to come to fruition. As Abdul Hakim Ofairi, the head of Partners-Yemen, noted, "The difference between Abyan and Marib is that to change justice and security in Marib is a big vision issue. It requires major changes, so big that only the president can do something about them." By contrast, in Abyan, the MoJ had the authority to satisfy some of the JSD participants' demands; OTI funds could satisfy some material requests; local coordination between officials could address others; and local cooperation between security forces and Popular Committees could make some difference.

Conclusions

The use of JSDs in Abyan and Marib offers two kinds of lessons: lessons regarding the usefulness of JSDs in Yemen in particular; and lessons about the utility of JSDs generally.

Lessons for Yemen: Should the JSD Model Be Applied Elsewhere in Yemen?

A primary inquiry for this report was whether the JSD model should or could be applied more broadly in Yemen. Overall feedback about the JSDs has been positive.[45] In Abyan in particular, many of the participants and local officials were very enthusiastic about the progress they had made. The fact that this success was not only in the form of tangible outcomes (the reconstructed court in Abyan) but also in the way that local officials approached local issues is a sign that the gains may be sustainable. There were fewer concrete outcomes from the Marib JSDs, and there was less vocal acclaim from participants. The Marib JSD was not the most successful JSD that USIP has organized, but it did make some headway given where the participants started. Participants and organizers for both JSDs were confident that given more time they would have had achieved greater progress.

Digging deeper into the experience of both JSDs offers some support for the positon that continued JSDs would not only benefit these two governorates, but might also be beneficial in other governorates during this transition period. However, both JSDs also hit a number of roadblocks, primarily stemming from larger issues in this transition period that would also bedevil future JSD work in this transition period.

Pro: JSDs Can Support Transition Goals in Yemen

The JSDs in Yemen were developed to encourage not only local dialogue and cooperation but also national-to-local dialogue and problem solving throughout. This is critical during the transition period in Yemen, not only to ensure that top-down, national level reforms are implemented, but also to begin addressing local grassroots justice and security concerns.

The evidence suggests that the JSD model did help to address the gap between local and national decision-making. This is the strongest reason for trying to replicate JSDs in other governorates during this transition period. In many places in Yemen, a new social

contract on division of labor and responsibility is desperately needed, but neither the government nor the citizenry is ready to make that leap. The type of local-to-national dialogue and trust building that these JSDs adopted might be the right strategy for enabling that conceptual shift. As a staff member of Partners-Yemen reflected, "The really interesting part of the project is that we have worked to close a gap that exists between the local and the national level."

Mechanisms or processes that enable greater local input into national reform, and that apply national policies and decisions in a way that makes sense locally, are needed in all governorates. The scope of the proposed reforms during this transition period is enormous. An even greater challenge will be trying to implement these reforms across Yemen's diverse localities. Doing so will require a great deal of back and forth between local communities and officials and national counterparts. This local-national dialogue will become even more important if the decentralization and federalism reforms agreed upon in the NDC are to be implemented successfully.

Finally, the way that the Abyan JSDs in particular encouraged national-to-local problem-solving but largely working within regular institutional processes is also a modality that would be useful for similar engagement in other governorates. For example, in Abyan special requests related to local justice and security issues were developed at a local level through the JSD processes (itself not a typical institutional process), but they were ultimately forward to the national level through regular administrative requests and processes. This institutional reinforcement is critical and timely in the current transition period, and is highly applicable to other governorates. At a time when Yemeni institutions are breaking down, subverting regular processes runs the risk of creating greater long-term harm even if it satisfies an immediate short-term goal. The JSD process for lodging requests, however, seems likely to help renew regular processes of governance.

Con: Continuing Instability and Competing Priorities Are Likely to Impede JSD Progress

Although JSD activities are desperately needed in this transition period, the political uncertainty, and the number of other issues competing for political bandwith or resources during this period make JSD activities difficult to carry out and make progress harder to achieve. This constraint in the Yemen environment affects nearly all programming, not just the JSD model.

The difficulty in getting traction on security issues during the JSDs illustrates how the current transition environment impacts JSD priorities. While requests for greater state security provision might always have faced challenges—given Yemen's history of weak state control—this was a particularly difficult time to expect quick responses to such request. Coming out of the 2011 crisis, every governorate suffered from weaker rule of

law and greater security threats. In every governorate, local security required a strong security presence and active law enforcement; the resources within existing Yemeni state forces fell short of demand everywhere. Replacing the Popular Committees in Abyan with state security forces, or providing more security forces to Marib, would have required taking forces from other locations (which were equally stretched). In essence, it would have required national decision makers to prioritize these two local security demands above the many other security issues throughout the country—from the resurgence of fighting with the Houthis in the north, to civil strife in Hadrawawt, to AQAP advances in Shabwa, Lahj, and other areas. Given this context, it is perhaps not surprising that the security requests coming out of the JSDs did not make much progress.

Another overarching competing bandwith issue that affected these JSDs was the NDC, which absorbed the bulk of institutional attention. While awaiting the outcome of the NDC, Yemeni ministries and institutions largely put on hold decisions that might have led to stronger service provision. In the case of security institutions, many of the national officials whom JSD participants met with regarding security requests—for example, those in the MoD and MoI—responded that they could not take any action on the requests until the NDC recommendations and the subsequent implementation plan was clear. While this was just one of many reasons they gave for not responding to issues like disbanding the popular committees, this inaction complicated the ability of JSD mechanisms to obtain resolution of, or even intermediate steps toward resolution of, many of the policy issues in question. Although the NDC is now over, other transition and reform processes continue and have the potential to sap attention from locally driven reform efforts, such as future JSD processes.

A final complication of trying to move forward issues through JSDs in this transition period is the overall institutional weakness of the current transitional government. During the course of the JSDs, the bureaucracy and institutions of government were very weak. The continued uncertainty inherent in this transition period, together with the split power-sharing nature of government, has deterred or undermined efforts to make government function more efficiently. Accountability for even basic metrics of performance has been undermined because the political uncertainty results in unclear lines of authority and few checks against misconduct or negligence. The hyper-politicized nature of government bureaucracies, driven by efforts to enforce party quotas, has made party interests more influential than concerns about merit or effective service delivery. These factors, combined with the backlog of challenges resulting from the 2011 near-shutdown of government, have produced government institutions that are far weaker than at any point in recent memory. As one researcher interviewed in a USIP study of declining justice services commented, "Under Saleh, there were incentives to at least produce the semblance of a functioning judiciary . . . under [the current regime] it's not clear those incentives are still present."[46] Although the Yemeni

government restructured itself and the leadership of most ministries in the fall of 2014, at the time of writing few observers were optimistic that this would result in more functional government institutions in the near term.[47]

Broader Lessons for JSDs

Beyond the question of whether JSDs might benefit justice and security reform in the current transition period in Yemen, the experiences within the Abyan and Marib JSDs offer further examples of the range of issues and solutions that might emerge from JSDs, building on the past work in this field. The difference in the outcomes in Marib and Abyan, and the challenges faced there may provide lessons for future designers of JSDs, whether in Yemen, or elsewhere in in the world.

As already discussed earlier, the national-to-local design of the JSDs and the way that they reinforced institutional processes were particularly successful features. These have not always been prominent components in all JSDs but may be useful in future JSDs where the surrounding political situation demands it. In addition, it is worth briefly discussing (1) the effect of the compressed time deadline, shorter than any JSD in the past; (2) the impact of material resources in conjunction with dialogue processes; and (3) the prospects for JSD progress in the face of tough issues.

More Time Leads to Deeper Results

The exigent demands of the transition period, and the loss of nearly a year off the initially envisioned program cycle due to the insecurity and lack of accessibility during the 2011 crisis, resulted in a more compressed JSD cycle than in any past JSDs. The Yemen JSDs continued for nearly a year. By contrast, many other JSDs are funded and conceived initially along a two-year timetable, with the recommended best practice being a minimum of three to five years. Many JSDs are extended in order to enable deeper results. For example, the Nepal JSD, which was extended over multiple iterations, spanned seven years.

The results of the pilots suggest that while something can be accomplished in a shorter time period, a longer time frame is preferable. This was particularly evident in the case of the Yemen JSDs, given the additional challenges in this transition period and the large scale of several of the issues. Partners-Yemen staff argued that, particularly on the Marib issues, "it would take more time to work through the issues in Marib. The locals have not yet reached the point where they recognize that enforcing the rule of law is more important than their own parochial interests in local conflict." The Abyan and Marib JSDs would have achieved greater success if more time had been available.

If JSDs are initiated in other governorates in Yemen, continued work over a period of years is needed, rather than the six months to a year available for these programs.

Other Resources Can Bolster JSDs but Are Not Vital

One interesting element in the Abyan JSD was the availability of resources, both through the Abyan Reconstruction Funds and through the appeals court reconstruction financed by IOM (OTI) upon request from JSD members. Most JSDs are about the process and the dialogue; they do not tend to be coupled with development funds. The introduction of OTI development funds in parallel to the dialogue (which was at the initiative of JSD members) thus represents an interesting approach. Undoubtedly, the Abyanis were enthusiastic about this and saw the construction of a courthouse as a tangible, concrete impact of their work: they conducted dialogue, identified needs, and got a courthouse. This might suggest that future dialogue efforts might be more successful, or at least more appreciated, if resource and development funds were also available. However, digging deeper, what is even more notable about the appeals court reconstruction was the local cooperation tied to it.

Local actors (official and not) organized and identified a need; sought support; and successfully argued their case. Once OTI agreed to build the courthouse, members of the JSD committee and citizens agreed to sit on a watchdog committee to monitor corruption. Local council members then agreed to help the overall effort of fixing the appeals court and addressing gaps in justice by organizing a representative body of citizens to protect judicial actors. Following a public meeting, local community members voluntarily agreed to stand guard and protect the building site as the court was being reconstructed so that it would not be looted or obstructed. In many ways what was important was not the reconstruction of the facility but the way that the process of reconstructing it triggered local cooperation and investment.

Although that sort of local buy-in might not be available for all infrastructure projects, where the appropriate elements are present, facility or infrastructure requests should not be rejected out of hand. Examples of wasted building construction can be found across the development world, and restoring all facilities in Yemen would not necessarily lead to substantially improved security and justice provision. However, there may be instances where facility construction is an essential part of addressing local needs and can have important effects beyond erecting four walls. Buildings signal permanence, which can help counter tendencies to prioritize short-term protection. Short-term horizons can reinforce cycles of instability.

Infrastructure funds or other resources need certainly do not have to complement all future JSD efforts. However, identifying other resources in the environment, and looping them back to local initiatives, might inspire greater success in many local

situations. The generalizable lesson about resources is not that every dialogue should have them, but that dialogue is more meaningful when it is followed by concrete change or an alteration of circumstances. Resources are often the most obvious manifestation of change, but in other situations, change might not require monetary or human capital resources.

Tough Times and Tough Issues Should Not be a Deterrent

Reflecting on all these issues, and on the overall progress made in both governorates, prompts consideration of the best time to launch a JSD process. The past few years in Yemen have been a remarkably tough time to try to tackle national security reform, given the exigent security demands everywhere and the national security restructuring going on at the highest levels. Yet, while such contextual factors certainly frustrated progress, it is precisely at such a moment of national crisis and reform that local voices need to be heard on local security demands. In addition, although the context frustrated immediate progress, for both governorates, a longer time span and continued discussions might have yielded some national policymaking response on even the tough security issues.

A related issue is whether JSDs should commence in areas with such fundamental or large-scale challenges. As one Partners-Yemen staff member noted, "In our case, we picked two of the governorates with the weakest links, where the gaps were biggest—Abyan and Marib." Would initiating the JSD in a more permissive environment—a less conflict-prone governorate, for example—have been a wiser strategic choice given the timing and limitations? This is a frequent issue in designing JSDs and selecting sites. Whether the JSD is launched in a governorate with fundamental, large-scale social contract issues (as Marib was) or in a more developed governorate where there is a basic consensus on those issues but shortages in local trust and cooperation, each community has the ability to make progress along its own pathway. Ultimately, the most important factor for determining success in a JSD is not the nature of the problems, but the degree of local buy-in, the time involved, and how the program adapts to local needs.

Annexes

Annex 1: USIP Global Justice and Security Dialogue Programs

The United States Institute of Peace (USIP) developed the Justice and Security Dialogue (JSD) program in response to a lack of trust between security actors and the communities they served. In 2007, the program was implemented in Nepal with the goal of building trust between police and civil society. Over the course of seven years and expansion to Iraq, Yemen, Libya, Tanzania, and Burma, the theories of change and framework have evolved. Key to this evolution is the concept that a critical component of rule of law is the relationships between providers and users of justice and security. Unless these relationships are improved, other technical areas of rule of law reform will continue to lack the foundation for sustainable impact. The development of relationships has progressed from police and civil society to encompass an expanded group of stakeholders: legal professionals, judges, prosecutors, government agencies, business leaders, religious and tribal leaders, and informal justice and security providers.

In Nepal, the JSD project evolved organically, beginning with national-level JSDs, then rolling out to all thirty-two provinces, and then feeding back into national-level security sector reform processes. The program addressed local issues while feeding into broader national-level reform platforms, thus tackling rule of law deficiencies from both the bottom up and the top down.

In Iraq, the JSD project operates at the district level in four provinces, focusing on building trust among police, communities, religious leaders, and other stakeholders. The relationships faced a difficult test in 2014, with increased violence and conflict directed at JSD stakeholders, who have used the relationships developed through JSD sessions to begin addressing conflict-related issues. These issues include security-related concerns with large groups of internally displaced persons (IDPs) and developing interim security plans to protect communities from militias and terrorist-related violence.

In Libya, the dialogues operate in one pilot local community and involve a wide set of stakeholders. The dialogue process focuses on moving from conversations and recommendations to implementing concrete activities so the community can see signs

of actual change, something sorely missing after forty-two years of a dictatorial regime and three years of political deadlock at the national level.

In Tanzania and Burma, the JSD process is just getting under way, with a specific focus on both improving relationships between police and communities and enhancing the capacity of police through customized workshops.

For more information about the JSD programs, see a variety of articles and reports on the USIP website, including the following:

- "Justice and Security Dialogue: A New Tool for Peacemakers," http://www.usip. org/publications/justice-and-security-dialogue-new-tool-peacebuilders
- "Justice and Security Dialogue in the Middle East and North Africa," http:// www.usip.org/publications/justice-and-security-in-the-middle-east-and-north-africa
- "Justice and Security Dialogue in Nepal," http://www.usip.org/sites/default/files/ Building_Peace_Nepal.pdf

Annex 2: Recommendations and Outcomes from Initial JSD Conferences

As prepared and translated by Partners-Yemen.

Abyan

Issues Requiring National Engagement or Attention:

1. Ensuring appropriate levels of financial and personnel support from the concern ministries
2. Reactivating state services and offices
3. Reinforcing the Judiciary Authority in the Governorate
4. Provision of coordination mechanisms between the citizens and Local Councils
5. Participation of the CSOs and Donors Agencies in technical and financial support
6. Raising awareness through Media, Civil Society Organization and Imams and Mosques Preachers about the importance of local security needs and cooperation
7. Activating the role of accountability and responsibility of government actors
8. Ensuring the independence of the Judiciary System
9. Ensuring more power for local authorities
10. Fighting against the corruption
11. Implementing the accountability, through appropriate incentives and punishment, in local development and reconstruction
12. Supporting and forming National Councils (Ahlia committees) to deal with local governance and justice issues
13. Regular visits from executive offers on key issues to the Governorate
14. Provision of necessary services (health, education, etc.) to the citizens
15. Provision of exceptional budget for the Governorate (given reconstruction needs)
16. Fostering and supporting the role of security members financially and morally and psychologically
17. Implementing training courses for Security and Popular Security members in Human Rights and disciplines
18. Working on joint security plan with implementing mechanism and ensuring the participation of the neighboring Governorate

19. Making a legal framework for the Popular Committees/ developing a strategy for integration or affiliation

20. Urge the regional and international communities and international organizations to provide necessary support for the rehabilitation of Abyan Governorate

21. Provision of Security for the Security men

22. Ensuring the delivery of assistance and relief to the citizens

Issues Requiring Local Engagement (largely cooperation between the Popular and National Committees, Citizens, and Local Authorities)

1. Conducting regular meeting between the Citizens, Popular and National Committees, and Local Authorities in the level of neighborhoods in order to reestablish the trust among the communities, committees and local authorities

2. Popular Committees should work under or with the Local Authority Supervision

3. Reintegrating the Popular Committees in the government institutions according to the qualification and need, and their behavior or treatment of the population

4. Ensuring the coordination between Popular Communities and security forces to ensure the provision of security and capture of criminals

5. Taking care of the victims' family members and treatment of the injured ones and compensating their damages

6. The local government must work closely with communities and resolve their problems

7. Ministry of Interior should provide the necessary facilities and financial support in order to reactivate the Security devices in the governorate and provision of weapons, uniforms, food and means of transportation and communication and rehabilitation of security buildings such as offices and prisons

8. Reactivating the role of the neighborhoods Sheikhs, and Social figures to ensure security and normal live

9. Political parties should unite their vision and disembark the narrow interests

10. Provision of solution for the electricity shutdown through the provision of 15 Mega Watt or building electricity station which can provide 35 Mega Watt

11. Social Fund should implement new projects in the governorate

12. Supporting the general works project, Aden Lahj Abyan and Al-Dhala'a branch to implement projects in Abyan

Recommendations for the Judicial Authority

1. Judicial Authority should form a committee to study the situation and the damages of the infrastructure and the Judicial Authority to reactivate the Judicial activities in Abyan

2.   Necessary action must be taken to facilitate the work of the courts to resolve the conflicts from Aden courts premises

Marib

Specific Thematic Issues

A.   Extension of Electricity to reach all Marib districts
1.   Protection of electricity towers must be attributed to the tribes men and recruiting and hiring should be from the same tribes where the network passes
2.   Putting vandals blacklisted and persecuted legally
3.   Enactment of a law to exempt Maribians from electricity charges
4.   Protecting Government Institutions
5.   Filling the security gab in the districts/directorates
6.   Reactivating the role of prosecutor and courts
7.   Tribes should adopt the protection of the general institutions and building through strengthening and involvement of the private sector

B.   Protection of Oil Pipelines
1.   Reduce expenses spent to protect towers or pipelines
2.   Develop a document or pact of protection for the pipeline among the tribes where the pipeline passes.
3.   Proper compensation for the people where the pipelines or the electricity towers passes through their land according to the Yemeni law

C.   Securing Cities and Markets
1.   Reviving the traditions and customs that prohibit the killing or revenge in the markets and raising the awareness through Mosques Imams and Preachers
2.   Selection of qualified security leaders from the governorate and involve them with their colleagues from others governorates to implement the tasks
3.   Activation the role of checkpoints before entering to the main markets
4.   Cover-up security men by civilian uniform
5.   Creating a mechanism to absorb people's anger through addressing their problems
6.   Assigning Officers and individuals to active participation in security setting
7.   Conducting dialogue between security men and citizens
8.   Law enforcement on every one without exception with respect to Arm bearing
9.   Insuring the coordination between the social figures and Security agencies
10.   Revive the message on TV media and newspapers

D.   Securing the Roads
1.   Restore responsibility to the responsible authority that are security and Army forces in coordination with Marib people
2.   Establishing Army and Security check points and these check points should bear the responsibility for security
3.   Incentives, bonuses, and promotions must be given for Military/Security checkpoints that monitors violations and anti-sabotage
4.   Must be given bonuses and promotions for military points that monitors violations and anti-sabotage
5.   Work on lawsuits and criminal urgently and sentenced in absentia on the perpetrators of acts of sabotage and in order to be deterrent to perpetrators
6.   Work to raise community awareness through symposium and seminars

General Issues
1.   National Dialogue should give an importance to Marib, specially to form Marib Province
2.   Assess the governorate needs in development and projects
3.   Encouraging the Civil Society Organizations to adopt and support people issues
4.   Education support in the governorate
5.   Conducting regular meeting and dialogue
6.   Establishing Technical, Vocational and Linguistic institutions
7.   Adoption media coverage to express the Marib issue

Annex 3: Security Vision from Marib JSD

Developed collectively by and with input from different JSD participants and local officials. Translated by Partners-Yemen.

Local Authority's Vision on Enhancing Security and Stability in Marib Governorate

1.   Infrastructure projects required for strengthening security capacity and control.

1.1.   It is essential to have populations in the different districts of Marib Governorate connected to the vital interests, particularly the gas-propelled power plant, not merely because it is a pretext repeatedly chanted by the people of Marib, but rather because Marib is the source of the power energy. The country's main power plant is located in the eastern part of Marib Valley. However, Marib citizens don't benefit from the power generated by this plant. Moreover, they share the suffering of all the people of Yemen as a result of vandalistic attacks on the power transformation lines in their governorate. Therefore, we propose the following:

1.1.1.   Accelerating implementation of the project of connecting all Marib districts to the Marib-based Gas-propelled power plant as a top priority.

1.1.2.   It is widely known that Marib is connected to the capital city and other Yemeni governorates with 5 main roads from different directions. Other roads haven't been tarmacked yet for security reasons. Therefore, these roads are in an urgent need for the conduction of a security geometrical study to propose additional changes and works, including the study of more proposed alternatives in order not to allow a chance for any tribal entity or an outlawed armed group to stifle [affect] the governorate, disconnect it from other areas or obstruct strategic interests, including:

1.1.3.   Completing the construction of Marib-Qania-Sowadia Road, which would serve as a vital alternative in event the north-western main road is exposed to any vandalistic or illegal acts.

1.1.4.   Speeding up the planning and implementation of the New Ring Road, stretching from al-Khusaif, east of the airport, to al-Mail checkpoint, and the other road stretching from the governorate's administrative complex to Sirwah Checkpoint. And, it would be appropriate to stretch this road via the desert until it passes through Safer, Ataq and Belhaf, alongside the power transformation lines.

1.1.5.   It is known that the State's Public Treasury loses around YR 15 million per day as a result of vandalistic attacks on the crude and gas pipelines. So, we urge the relevant authorities to conduct technical studies on the construction of a tarmacked road

alongside the power high voltage lines and pylons that pass through Marib and the neighboring governorates. This should include alternatives to the pipelines as the new line of power pylons may be prepared and the crude pipeline may be removed from farmlands and populated areas and placed underneath the road in order to facilitate the protection of the power pylons and crude pipelines altogether at the same time. A new pipeline should be stretched from Safer to Belhaf, Shabwa, to be used when necessary.

1.1.6. Conducting a security-geometric study on the existing and potential road networks

2.   Security infrastructure strengthening

2.1.   The security infrastructure (governmental security facilities) suffer many weaknesses, and therefore their defense capacity has become weak. Some of these facilities need to be relocated, while other planned facilities haven't been implemented despite the urgent need for them to exist. And, to secure a workable security solution to problems in the provincial capital, we have made the following recommendations:

2.1.1. Review the security cordon of the governorate, which will not be realized unless the construction of the Ring Road is completed.

2.1.2. Strengthen walls, fortifiers, guard rooms, road checkpoints and security sites.

2.1.3. Although it is composed of just two rooms, the governorate's central prison currently houses 130 inmates, and the prison's wall is low. We also need an additional prison for women and women police.

2.2.   We wouldn't add any new information if we said that the security environment in Marib is very risky, while the safety of security leaders is of crucial importance, not merely due to the risky security environment, but also due to the existence of direct terrorist threats to them. Therefore, we need the following:

2.2.1. Four armored vehicles in Marib because they are extremely essential for the protection of local authority and security leaders. These vehicles should be equipped with weapons and self-protection techniques.

2.2.2. Due to the horizontal expansion of Marib city, there is an urgent need for establishing another two police stations in the governorate (one in Rawdha and the other in the east part of the airport) right now.

3.   Strengthening Technologies, Information Systems and Security Staff Capacities

3.1.   It is known that the current security communications network is being penetrated due to many factors, one of which is that some terrorist groups control some of the security entities, easing leakage of security information and penetration of security programs and keywords.

3.1.1.   All the current systems need to be reprogrammed and secured against penetrations [hacking].

3.1.2.   The government needs new communications system excelling any rival system, according to a study of real-life situation.

3.2.   The governorate lacks correct and exact information. Therefore, we need to establish a network of information sources (recruiting civil staff) and get appropriate operating budget because such sources are very important for improving the quality of security performance, predictability and the early discovery of threats and lenses of terrorism, alarm system and early, concurrent and subsequent detection capacities, and the early response to detect, control and reduce crimes.

3.3.   The Criminal Investigation Department suffers scarcity of equipment and lacks capable human resources. The current resources of Marib Criminal Investigation Department are not equal even to the resources of a police station in Sana'a. Therefore, we are in an urgent need for the following:

3.3.1.   The provision of two criminal identification labs, one is fixed and the other is removable, plus other supportive supplies.

3.3.2.   The provision of well-trained and qualified staff to work in the Criminal Investigation Department.

3.3.3.   The provision of operating budgets or incentives for military officers and soldiers, or enforcing the post-rotation in the army and security organizations.

3.4.   Redrawing and Revaluating the Security Outreach Plan, Protecting Security Sites and Discipline, and Fighting Terrorism

3.4.1.   There is a need for holding a purposive security meeting, chaired by the governor, and including security and military leaders in the governorate, as well as representatives from the defense and interior ministries and other high-profile security organizations in order to do the following:

3.4.1.1.   Re-evaluate the military outreach map and suggest appropriate solutions that help strengthen security control. An urgent decision on the provision of well-equipped protection forces for securing the crude pipeline, power pylons and roads from Safer to Naqeel al-Watad should be taken.

3.4.1.2.   Discuss the package of incentives and operating allocations, which would help cover the minimum needs. This should include incentives for security and military officers and soldiers, and application of the post-rotation in the army and security organizations.

3.4.1.3.   Discuss the reality of resources and security capacities (preparedness) for fighting terrorism. One of the suggestions is to provide the governorate with a counter-terrorism unit under the Special Security Forces. This unit should be connected to the nearest military base with two armored aircrafts ready for service when required under the supervision of the government's Security Committee. The unit should be ready to confront dangerous threats, and should stay on full alert to thwart any operation targeting the crude pipeline, the power pylons or roads in an early stage.

3.4.1.4.   Create appropriate suggestions and solutions to problems of newly recruited soldiers, who are from the governorate, but they were deployed for service without beforehand training and armament. Another problem is that those young soldiers are not committed to the military discipline, or they sometimes resort to practicing illegal acts with support from some tribal groups. Therefore, a new plan is required for the redistribution of new recruits in such manner serving the security situation.

3.4.1.5.   Discuss efficiency of the Plan on Deployment of Security Checkpoints on the main roads and city entrances, and remove all the illegal [civilian] checkpoints on the main roads. Some of those illegal checkpoints are controlled by Joint Meeting Parties, the General People's Congress or Houthis.

4.   Activating Community Involvement in Improving Security & Stability

4.1.   To enhance partnership between police, community and the private sector to the extent that bridges the gap and builds trust, the relevant authorities should take appropriate decisions and provide necessary resources for activating the Security-Community Partnership Forum, which was launched on December 26, 2013. The forum is the fruit of joint efforts by police organs, civil society and the Interior Ministry's Public Relations and Morale Guidance Department, with support from Partners-Yemen. The forum is a semiannual convention, organized by the police department, local authority and civil society organizations. Below are the governorate's priority needs under community involvement:

4.1.1.   Implementing youth-focused programs and forming Security Friends Committees in schools, colleges and governmental and civil facilities.

4.1.2.   Improving media performance and raising legal and security awareness in the local community and among policemen.

4.1.3.   Supporting educational sporting programs for security members and students in schools.

4.1.4.   Forming Facility Friends Committees, involving security guards and young people from surrounding neighborhoods.

Annex 4: Justice Vision from Marib JSD

Developed collectively by and with input from different JSD participants and local officials; translated by Partners-Yemen.

Local Authority Proposal on Restructuring and Strengthening Role of the Judiciary in Marib Governorate

According to outcomes of the dialogue symposium, held on August 13-14 by the Local Authority in cooperation with Partners-Yemen and the U.S. Institute of Peace; and, in compliance with outcomes of the National Dialogue Conference; and, to support the state's role in enforcing law and order; and, due to the economic and strategic importance of Marib Governorate; and, to reduce the burden on the armed and security forces and lay the foundation for building the modern civil state, we would like to present to you the following proposal:

First, we needn't inform you about the status quo of courts in Marib Governorate, as there are just three first instance courts for all the 14 districts in the governorate. Namely they are:

1.   Marib City Court.
2.   Juba Court.
3.   Harib Court.

The function of these courts is primarily focused on resolving personal status cases, a limited number of civil cases and fewer criminal cases, in addition to relevant documentation.

To be fair, Marib doesn't need a first instance court to be established in each district because neither the number nor the nature of disputes support such idea; and neither the topography nor the demography of the governorate would encourage this move.

Therefore, I am presenting to your attention the following proposal:

First: On the level of first instance courts and prosecutions, the governorate need up to six first instance courts, five of which shall be concerned with civil and personal cases, and one, which shall be based on the provincial capital, shall be responsible for dealing with all the criminal cases on the governorate level. Below are the proposed courts, their locations and areas of jurisdiction:

1.   East Marib Court, which shall be responsible for handling the cases of Marib city and Wadi districts, and shall be based in Marib City.

2.   North Marib First Instance Court, which shall be responsible for handling cases in the districts of Madghal, Raghwan and Majzar, and shall be based in Madghal.

3.   East Marib First Instance Court, which shall be responsible for handling cases in the districts of Sirwah, Harib al-Qaramish and Bedbeda, and shall be based in Sirwah.

4.   South-West Marib First Instance Court, which shall be responsible for handling cases in the districts of Juba, al-Jabal, Rahba and Mahliah, and shall be based in al-Juba.

5.   South-East Marib Court, which shall be responsible for handling cases in the two districts of Abidya and Harib Baihan, and shall be based in Harib Baihan.

Second, there is a need for forming judicial police, and members of this force shall be delegated and transferred from security and military units in or outside the governorate, according to certain criteria and conditions, and the number and structure of which shall be agreed upon. This force shall be supervised by Head of the Governorate Prosecution, and shall be tasked to provide full security protection to judicial facilities, including courts, prosecutions and staff thereof, as well as to implement whatever orders, decisions and directions they receive, according to the law, provided that such force shall have basic and operating budget, attached to the Public Prosecution's Budget.

Third, there should be integration and coherence between the formal and customary judicial systems through the selection and formation of a customary body, comprised of 1-3 sheikhs, who must be certified to be experienced, judicious and capable of settling disputes by customary means. This customary body may have any of the following three names:

•   Committee of Arbitrators
•   Maragha Sheikhs
•   Judicious Sheikhs

Members of this body shall be responsible for the delivery of judicial assistance to chief judges of first instance courts. And, by the Arbitration Law, this Judicial Body of Appeal in the governorate shall be entitled to settle disputes referred to it, and whatever rulings they issue shall be deemed preliminary rulings.

Fourth, Training & Qualification

The following training requirements should be met:

1.	Set up a strategy for the training of customary arbitrators, and their assistants and secretaries on the legal approaches to pleading/ defense and litigation, and the regulatory methods on the procedures of pleading/ defense and litigation.

2.	Set up a plan for the training of all judicial staff who are already serving or will be appointed to serve in the governorate to brief them about the procedures, provisions and rules of the customary litigation system.

Notes

1. For more information, see http://www.usip.org/publications/justice-and-security-dialogue-new-tool-peacebuilders.

2. Many of the people who took to the streets in January 2011 were motivated by years of dissatisfaction with the regime of former president Saleh, including frustration over the lack of economic opportunities and unemployment, flagrant corruption, government malfeasance, and the basic violations of rights.

3. More specifically, the original goals of the JSD were to enhance civil society's understanding of justice and security systems and their roles in the reform process; to develop the capacity and confidence of civil society and the legal community in Yemen to effectively engage in rule of law reform; to enable civil society and security and justice sector officials to identify and implement local solutions to justice and security problems; to support the development of justice and security sector reform through consultation among civil society, judiciary, police, and other stakeholders; and to facilitate the sharing, identification, and implementation of local solutions to local rule of law problems.

4. The exact duration of the agreement was twenty-seven months, which included the three months before the February 2012 presidential elections.

5. The four governorates were chosen to represent a range of critical local security and justice challenges: Taiz, the governorate known as the heart of the revolution; Aden, the governorate with growing calls for Southern secession; Abyan, which Ansar as-Sharia took over in 2011; and Marib, where the lack of government control and cooperation from the largely tribal population had led to the emergence of a safe haven for criminal and terrorist groups.

6. See Erica Gaston and Nadwa al-Dawsari, "Waiting for Change: The Impact of Transition on Local Justice and Security in Yemen," Peaceworks no. 85 (Washington, DC: United States Institute of Peace, April 2013), www.usip.org/publications/waiting-change.

7. See ibid.

8. See Gregory Johnsen, *The Last Refuge: Yemen, al-Qaeda, and America's War in Arabia* (New York: Norton, 2012), 16–17, 19–20.

9. Ibid., 22–23.

10. Ibid., 38–39.

11. Jason Ditz, "Yemen Government: Three Months of Attacking Abyan Left 230 Yemeni Soldiers Dead," *Anti War News,* September 11, 2011, http://news.antiwar.com/2011/09/11/yemen-govt-three-months-of-attacking-abyan-left-230-yemeni-soldiers-dead.

12. Workshop with Abyan interviewees, February 3, 2013, Sanaa, Yemen.

13. See World Bank, "Yemen Poverty Assessment" (November 2007), https://openknowledge.worldbank.org/bitstream/handle/10986/7948/530760ESW0P0951Box345595B01PUBLIC10.txt?sequence=2.

14. Erica Gaston with Nadwa al-Dawsari, "Justice in Transition: A Mapping of Local Justice Functioning in Ten Governorates," Peaceworks no. 99 (Washington, DC: United States Institute of Peace, September 2014), 13, 18, http://www.usip.org/sites/default/files/PW99_Justice-in-Transition-in-Yemen.pdf.

15. For a timeline of targeted attacks on pipelines, processing, and transit hubs for oil and gas in the October 2011–May 2012 period (at a frequency of several incidents per month nationwide), see William Hardy, "TIMELINE-Yemen's Energy Industry under Attack," Reuters (May 14, 2012), http://en-maktoob. news.yahoo.com/timeline-yemens-energy-industry-under-attack-123241005.html. Targeting took place across Yemen, but many of the key attacks took place in Marib.

16. See "The Power Cables Were Attacked Repeatedly Hundreds of Times Costing the Country Hundreds of Millions of Dollars in Value and Repair Costs" Marib Press (Arabic), April 8, 2012, http://www. marebpress.net/news_details.php?sid=42437&lng=arabic.

17. Joao Peixe, "Militant Attacks on Pipeline Cost Yemen $4 billion in Lost Revenues," *Oil Price,* July 4, 2012, http://oilprice.com/Latest-Energy-News/World-News/Militant-Attacks-on-Pipelines-Cost-Yemen-4-Billion-in-Lost-Revenues.html.

18. Many locals assume that Al-Shabwani was killed in an errant US drone strike. However, some news reports suggested it was a US or Yemeni air strike—not necessarily a drone—that was responsible. See "Air Raid Kills Yemeni Mediator," *Al Jazeera*, May 25, 2010, http://www.aljazeera.com/news/ middleeast/2010/05/2010525104445518461.html; and Bill Roggio, "Yemeni Airstrike Kills Deputy Governor, Al-Qaeda Operatives," *Long War Journal,* May 25, 2010, http://www.longwarjournal.org/ archives/2010/05/yemeni_airstrike_kil.php. Tribesmen have repeatedly requested a transparent investigation into his killing, and—not satisfied with the response—have attacked oil pipelines and the main power station repeatedly since his death. See Amal Al-Yaris, "Marib Gas Power Station Powerless Again," Yemen Times, October 4, 2012, http://www.yementimes.com/en/1613/news/1475/Marib-Gas-Power-Station-powerless-again.htm.

19. As one community leader, who sat on one of the self-formed Ahlia councils, noted, "In the prior situation [in 2011] the civil leaders fled, and this caused people to lose confidence in them. To restore confidence and trust, people will have to see that these leaders are returning and that changes result."

20. As one local security commander at the JSD noted, paraphrasing a local expression, "One hand cannot clap."

21. Due to the 2011 crisis and subsequent transition period in 2011 and 2012, the JSD project was delayed by more than a year and initially was planned to run for less than six months. This timeframe was extended at no cost in August 2013; the JSD ultimately ran for eleven months. However, even in this eleven-month period, the JSD suffered from a number of interruptions due to security and political instability issues.

22. In all four governorates, many security incidents were attributed to national-level political actors' (including the GPC and JMP parties) efforts to undermine or manipulate political discussions within the transition period or to manipulate governorate-level power dynamics.

23. The NDC began in March 2013 and closed on January 25, 2014.

24. The prominence of the NDC catalyzed attention on dialogue at all levels. In the run-up to the NDC, throughout the NDC period, and following it, countless smaller-level "dialogues" and events were conducted at the national level and local levels in governorates across Yemen. Some were organized under the NDC auspices as part of its outreach and consultation (e.g., the NDC tents), while others were organized by local and international civil society. Because of the prevalence of these dialogue activities,

consideration was given as to whether or not to the JSDs would be duplicative. Ultimately, it was decided that the nature of and issues covered in the JSDs would not be resolved within the NDC, particularly given the relatively less attention to dialogue in the selected governorates, Marib and Abyan.

25. Given the insecurity and lack of facilities in Abyan and Marib, hosting a conference would have presented enormous security and logistical challenges, which might have endangered participants or led to lower participation levels.

26. The reconstruction funds that were allocated and provided to Abyan were provided directly to individuals. The vast majority of government facilities had not been restored by the start of the JSD (or even by the end of it), and government officials' presence in the governorate was slim as a result.

27. There were notable exceptions to this attitude. At the JSD conference, in response to several comments that national actors or the international community should be the ones to fix problems in Abyan, a leader of one of the Popular Committees objected, "We are all from Abyan and we are all complaining to other people. We should help ourselves before we ask for other people."

28. See table A5.1 in Gaston with al-Dawsari, "Justice in Transition," 66.

29. For example, the primary court and prosecutor's office in Jaar were damaged, with files looted and the black flag of Ansar as-Sharia hanging outside. Ibid., 18, 22.

30. These courts primarily dealt with administrative matters or notarization duties rather than resuming full operations. Ibid., 36.

31. Many of the more active participants from the JSDs were judges or lawyers, some of whom were also represented in the JSD follow-up committees.

32. The committee comprised the following members: Qaiser Al-Aedaros, head of the Appeal Court; Naser Al-Yafi, YSI representative; Ali Nase Jaber, member of the National Council; and Ahmed Fadhel, member of the National Council.

33. Interviews with Popular Committee members suggest the amount per month ranged from $50 to $150 per fighter, although the latter figure seems doubtful. An International Crisis Group (ICG) report on military and security restructuring in April 2013 noted that the Popular Committees "largely are managed by the defence minister, himself from Abyan" and that "there is no plan to systematically train and incorporate these fighters into the military or police force." See April Alley, *Yemen's Military and Security Reform: Seeds of New Conflict?* International Crisis Group Middle East Report No. 139 (April 4, 2013) (Brussels: ICG, 2013), at 31, footnote 161, http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/139-yemens-military-security-reform-seeds-of-new-conflict.aspx.

34. In addition to providing the monthly stipend, the governor and several other officials also recognized the popular committees' efforts publicly, which many felt gave the committees a greater level of authority or status.

35. See also Alley, *Yemen's Military-Security Reform,* 20–21.

36. The JSD members who were in the meeting had the impression that the officials they spoke to had the authority to cease payment for the popular committees and to work toward disbanding them; authorize more security forces for the governorate; equip those forces in the government so that they could assume more security responsibilities; and make other interim decisions that might contribute toward resolving the Popular Committee issue. However, the JSD members walked away with the impression that none of these decisions would be authorized.

37. Security forces reassumed control of a few more checkpoints in Zinjabar over the course of the JSD as a result of local outreach.

38. The oil and electricity resources are themselves a major bone of contention. To Maribis, they represent wealth and development actively being transported outside of Marib to other governorates while Marib is left in poverty, without basic services or electricity in the vast majority of districts.

39. Interview with Sheikh Mufarreh Beheibeh, a prominent sheikh from Marib, October 15, 2012, Sanaa, Yemen.

40. These local tensions were palpable even in the relatively collegial environment in the initial JSD conference. For example, following several long speeches by Maribi tribal leaders about the ineffectiveness of the government in protecting them at the initial JSD event, a lead security official demanded of other Maribis present:

> What is your role—Maribians—as citizens when someone sabotages the oil pipeline or the electricity grid in front of your homes? Why do you not cooperate with police in arresting them? Why do you cover them up? How can it be that you demand the permission for all armed people to access the city untouched while demanding the security people to keep the markets and roads safe for people at the same time?

41. In response to concerns about the prevalence of AQAP in Marib, JSD participants in the initial conference suggested that tribes could assist in facilitating the capture or detention of AQAP members, but only if the government could demonstrate that it would protect those tribesmen from attack and ensure that those captured would be kept in prison rather than being released or escaping. Both of these conditions require a more robust state security and law enforcement framework, which the state does not have in nearly any part of Yemen, much less in Marib.

42. In the initial JSD conference and in the assessment Maribis frequently argued that one way to deal with the escalating security problems was to support a stronger state justice system in the governorate that could prosecute criminals and help quell tribal conflict.

43. For example, in the initial JSD, participants offered the following range of proposals for ways the state could engage in Maribi security: provide more state security officials to patrol public markets in plain clothing (undercover, in essence); create mixed patrols, comprising both local tribesmen and national army forces, at checkpoints; authorize "businessmen to create strong security forces drawn from local people"; and instill in security forces the importance of serving the public and of tribal principles that might limit recourse to violence.

44. The theory was that if Maribis actually benefited from the electricity towers (i.e., if the towns through which the electricity lines crossed had electricity), locals would have an interest in protecting the towers.

45. In addition to its own self-evaluation, in November and December 2013, USIP hired independent researchers to conduct a series of interviews with participants and officials to try to analyze the impact of the JSDs. Between one-quarter and one-fifth of the initial JSD conference participants (eight to ten per governorate) were interviewed, selected to represent a cross-range of participants, including government officials, professional actors in the relevant sectors, and members of civil society. Interviewees were also selected to include some who participated actively in the follow-up work and some who had attended only the opening JSD conference.

46. Gaston with al-Dawsari, "Justice in Transition," 35.

47. This is in part because the agreement that resulted in the government reshuffle appeared to suspend the transition period indefinitely, prolonging the political uncertainty and incentives for political turf wars that underlie many of the institutional problems.

About the Author

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Acknowledgments

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