



Dimensions
for Strategic Studies

Situation Assessment



The Yemeni Presidential Council: Transferring legitimacy towards unclear settlement

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APR 2022
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Dimensions for Strategic Studies

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Introduction

Riyadh hosted Yemeni consultations that not attended by the Houthis, which led, without further ado, to a new phase led by a presidential council.¹

Contrary to what was proposed in Riyadh's consultations on reforming "legitimacy",² the formation of the Council imposed a radical change in the presidency system, while Saudi Arabia was the first who welcomed such a step.

On the night of April 6, opinions varied among the members of the political axis team, regarding the change of vice-president, Ali Mohsen al-Ahmar.

It was reported that representatives of the Islah party were against changing the position of vice-president,³ although they supported the proposal to replace him with a person, upon whom the parties would agree.

Representatives of the Transitional Council, on the other hand, proposed appointing two individuals as vice-president, one from northern and the other from southern Yemen.

This proposal is supported by Tariq Saleh's representatives.

Hours later, President Abed Rabbo Mansour Hadi appeared at the dawn of April 7, announcing the transfer of power to a presidential council representing several political components.

He delivered a brief speech, in which he affirmed that his decision is irreversible, pointing out that he, as President of the Republic,⁴ had delegated the Council. It is based on the Yemeni constitution and the mechanisms of the Gulf initiative, specifically the ninth article, in addition to the outcomes of the dialogue, Hadi added.

(1) "Legitimacy" is a term used to denote the internationally recognized Yemeni government, which was represented by President Abd Rabbuh Mansour Hadi with the outbreak of war in the country, which saw Saudi Arabia leadership to an Arab coalition to support the legitimate president against the Houthi rebels.

(2) "Riyadh Consultations. Disagreements over Reform of the Presidency and Aspirations for Results that End the War," Al-Sharq newspaper . 07/04/2022: bit.ly/3kiBoCo.

(3) Ibid.

(4) "Yemen: Mansour Hadi transfers his powers to a leadership council headed by Rashad Al-Alimi," BBC Arabic, 7/4/2022: bbc.in/39IGU4R



The Presidential Council's mission is to lead a new transitional phase headed by Rashad Al-Alimi,⁵ while the Council consisted of eight members, divided equally between northerners and southerners, as these members represent military and political forces present on the ground, according to the decision of forming the Council.

The participants in the Riyadh consultations, held under the auspices of the Gulf Cooperation Council, returned back to the meeting at the end of the day, where the final communiqué welcomed the forming of the Presidential Council. The communiqué also stressed that the Council's leadership should immediately start negotiations with the Houthis under UN auspices.

On his part, the Secretary-General of the Gulf Cooperation Council, Nayef Al-Hajraf, said that the success of the consultations represented a turning point on the road to reach comprehensive peace.⁶ This was echoed in the final communiqué, which stressed that the formation of the Council may be the turning point in the negotiations and a comprehensive settlement.

This study attempts to provide a better understanding not only for the significance of the Presidential Council at this time, but also the role of this Council in the next stage, which is witnessing great challenges. The study also focuses on the reasons for forming a presidential council, in general, to lead a new transitional phase.

Furthermore, the study seeks to analyze the legitimacy on which the Presidential Council is based, and how much it depends on the Yemeni constitution. Parallel to that, it tries to address the extent to which the external actors and the support they provide will be an influential factor in this new stage. This stage, in fact, is dominated with discord and disputes, where the role of the new Council comes, according to previous experiences, as a guarantee of the issue of the power-sharing that is surrounded by divisions and conflicts.

(5) Rashad Al-Alimi: Head of the new Yemeni Presidency Council. Born in Taiz Governorate in 1954. He graduated from the College of Police and Military Sciences in Kuwait in 1975. He is well experienced in politics and administrative affairs. He took over the Ministry of the Interior in 2001, and in 2006 he was appointed as the head of the Supreme Security Committee and as Deputy Prime Minister for Defense and Security Affairs in 2008.

(6) "The Final Statement of the Riyadh Consultations: Negotiations with the Houthis under UN Supervision", "Al-Roya" 07/04/2022: bit.ly/3KqA62C



The crazy political legacy

Yemen is surrounded by a fertile environment for political unrest and conflicts, which could easily be seen in considering the situation from the geopolitical point of view impacting on geographical influences. The rugged terrain played a key factor that hindered the existence of a strong central authority,⁷ while the mountainous nature provides safe enclaves for the rebels who repeatedly managed to seize power.

Historically, tribes always played a major role, just like a dual-purpose spearhead- in the conflicting small states within Yemen. In other words, Tribes could have contributed to either forming or falling governments in Yemen. Accordingly, the ex-president, Ali Abdullah Saleh, shed some light on this political ruggedness, likening the rule of Yemen to (Dancing on the Heads of Snakes) i.e., charming snakes. After the death of Saleh during his confrontation with the Houthis on December 2017,⁴ Houthi Isa Al-Laith, who posted a video titled as "Zamil", which is a tribal poetry used as a propaganda platform to announce the death of former president. In that video, al-Laith was saying that his group's fighters (like snakes) killed "their charmer".⁸

Since the sixties of the last century, Yemen, whatever it was, whether south and north Yemen as separated states or as a unified one, witnessed two scenarios for presidents. Presidents in Yemen either to murdered or being forced to go into exile. That generally came after coups or conflicts. In an equation as such, six presidents were killed, while the other five ones were forced to go into exile as an end to their regimes.⁹

(7) Robert D. Kaplan's "Geography's Revenge", translated by: Dr. Ehab Abdel Rahim Ali, The National Council for Culture, Arts and Letters - Kuwait, The World of Knowledge series, published in January 2015.

(8) Zamel "Al-Tahesh Al-Batash", voiced by Issa Al-Laith, was released the day after the death of ex-Yemeni President Ali Abdullah Saleh. Laith praises his group, describing it as "the snake who kills the snake charmer," in reference to Saleh.

(9) In northern Yemen, four presidents overthrew in military coups, which ended with the exile of two presidents, Marshal Abdullah al-Sallal and Abdul Rahman al-Iryani; Two were assassinated: Ibrahim al-Hamdi and Ahmed al-Ghashmi. In the south, conflicts within the authority ended in the killing of Abdul Latif Al-Shaabi and Salem Rabie Ali, known as "Salmeen". The fate of the third president, Abdel Fattah Ismail, was to go into exile, but he was killed after his return in the events of January 1986, which led to the flight of the fourth president, Ali Nasser Mohamed, to exile. After the unity agreement, the dispute escalated between the main agreement's partners: President Ali Saleh (northern) and his deputy, Ali Salem al-Beidh (southern), and they were the fifth presidents of the era of division. Saleh settled the war in the summer of 1994, so that al-Beidh went into exile. Saleh however was killed in a conflict with the Houthis in December 2017 in his home in Sanaa, while Hadi was destined to be exiled in Riyadh for most of his years as president, and from there he delegated his powers to a presidential council.



Hadi was one of the five exiled presidents, although he was forced to go as a result of a political agreement between the Yemeni components, in accordance with the Gulf initiative.¹⁰

Similar to previous experiences, armed clashes led to the fall of the capital, Sanaa, to the Houthis on September 21, 2014.

Repeated scenarios

After the Houthis took control of Sanaa in 2014, the first UN envoy to Yemen, Jamal Benomar, supervised the Peace and National Partnership Agreement, while the Houthis imposed a new military reality. In December of the same year, the Houthis returned and completely seized control of power by entering the presidential palace in Sanaa and storming army camps. This ended with President Hadi under house arrest, as he announced his resignation, in January 2015, in a letter to the Yemeni parliament.¹¹

After a month he spent under house arrest, Hadi was able to flee to Aden, and announced he rescind his resignation, which he said was “imposed on him by the coup perpetrators.” He stressed that he is still the president.¹²

In early March 2015, Aden was declared as a "temporary capital".

On March 2015, 26, Saudi Arabia announced its intervention in Yemen, after the Houthis took control of Aden, explaining that its operation came at the request of President Hadi, to protect legitimacy in Yemen after the Houthi group seized over power in Sanaa.¹³

(10) The Gulf Initiative is a draft political agreement announced by the GCC states, led by Saudi Arabia, on April 3, 2011, following the outbreak of popular protests against President Ali Abdullah Saleh in February of the same year. The initiative includes a road map for the transfer of power in Yemen, upon which the political parties in the country agreed. It led to new presidential elections in February 2012, after Saleh accepted to cede power to his deputy Hadi.

(11) “The resignation of Yemeni President Abd Rabbo Mansour Hadi and parliament rejects it,” “France”, 24/01/2015: bit.ly/38qxjsX

(12) “Hadi flees to Aden and says he is still the president,” Reuters, 21/02/2015: reut.rs/3rUXpLu.

(13) “Saudi Arabia announces the end of Operation Decisive Storm and the start of Operation Restore Hope,” CNN in Arabic, 21/04/2015: cnn.it/3OICjKj.



Three years after the Houthis completed their coup in Sanaa, the period of late January 2018 witnessed the outbreak of conflict between the government and the forces of the UAE-backed Transitional Council, who demanded secession for southern Yemen.

Prime Minister Ahmed Obaid bin Daghr accused the Transitional Council of overthrowing legitimacy in Aden, after taking control of the city.¹⁴

This conflict led to change the prime minister.

This, however, did not prevent another round of confrontations from occurring, which ended with the Transitional Council declaring its control of the Maashiq Palace in August 2019.

At the end of the year, the Riyadh Agreement was signed.

Last March, the Secretary-General of the Gulf Cooperation Council, Nayef Al-Hajraf, invited the Yemeni parties to the second Riyadh conference, in which the Houthis refused to participate.

It should be noted that seven years ago, the Houthis were unwelcomed in the first Riyadh conference, during which emphases were placed for supporting the return of the legitimate president to Yemen and for putting an end to the "coup". The second conference, on the other hand, ended as Hadi announced to transfer power to a presidential council, as an irreversible decision -according to him-, with emphasis on a settlement that included the Houthis for the sake of a "comprehensive peace agreement."

(14) "Yemen: Aden is under the control of southern separatists and the government is besieged in the presidential palace," France 24, 30/01/2018: bit.ly/3klraB4.



Ever-widening gap

In delegating his powers to the Presidential Council, Hadi relied on two main references, the Yemeni constitution and the Gulf initiative.

However, according to the constitution, there is no mechanism to support this procedure.

This constitution stipulates that three entities can assume the duties of the president: the vice president, the presidency of the House of Representatives is empowered -in the absence of the vice president. If the House is dissolved, the government assumes the duties of the president, provided that it is for a temporary period.¹⁵

It is noteworthy that the Houthis, after forcing Hadi to announce his resignation, did not allow a constitution-based solution to take place.

Instead, they surrounded the House of Representatives after that resignation, in order to prevent their ally, Saleh, from restoring a legitimate formula through Parliament, which overwhelmed by his party, the General People's Congress.¹⁶

The Houthis preferred to grant powers to their revolutionary committees, which means that they refused to enable Saleh, their ally at the time, to have any legislative formula, since his supporters control Parliament.

As for the last possibility, if the House is dissolved, the government assumes the duties of the president, provided that it is for a temporary period.

It was clear that there was no constitutional text authorizing Hadi to transfer his powers to the Presidential Council. The declaration was clearly based on Article 9 of the Gulf initiative, which includes an affirmation of consensus.

(15) Article 116 of the Yemeni Constitution stipulates this: "In the event that the position of the President of the Republic becomes vacant or permanently incapacitated, the Vice President shall assume the duties of the presidency temporarily for a period not exceeding sixty days from the date of the vacancy of the position of the President, during which new elections for the President are held. If the position of the President and the Vice-President of the Republic become vacant at the same time, Presidency of the House of Representatives shall assume the duties of the presidency temporarily. If the House of Representatives is dissolved, the government shall replace the presidency of the House of Representatives to exercise the functions of the presidency temporarily, and the President of the Republic shall be elected within a period not exceeding sixty days from the date of the first meeting of the new House of Representatives." Yemeni constitution: <https://yemen-nic.info/yemen/dostor.php>.

(16) "The Houthis besiege the headquarters of the Yemeni parliament," Al-Masry Al-Youm, January 23 ,2015: bit.ly/3ESwepS.



According to the text of the resolution, the focus was on what was stipulated in that article about “meeting the aspirations of Yemenis for change and reform and removing the elements of political and security tension”.¹⁷

Consequently, the constitution was violated by a parallel document, that is, by the Gulf initiative. Also, through the declaration, the reliance on a loose clause that lacks precision represents an unsafe trend that would give agreements that relied on general formulas a permanent interpretation. The agreements, with their interpretive loopholes, lead to legalise the conflict rather than depending on any political agreement.

Mechanism of Action

For issuing political decisions, the Presidential Council has a simple consultative formula, through which decisions are taken according to the majority’s point of view. In the event of equal votes, the speaker of the Council can give preference to one of the two sides, which is the only advantage for this president.

It is clear that tilting the balance will not be used permanently, because there is a supervisory body (the Consultation and Reconciliation Commission) consisting of fifty members. After a 5-heads Presidential Leadership Council has been formed for it, one of its tasks will be to resolve any dispute within the Council, about any political decision, within a maximum period of 24 hours. Furthermore, there is a legal body that drafts a formula that regulates the performance of the Presidential Council.

Consequently, the “Consultation and Reconciliation Commission” was formed to be a parallel body, empowered with supervisory and oversight tasks over the Yemeni decision-making center. This means that content with unclear features, whether in terms of efficiency or independence, will be adopted in dealing with very important issues.

⁽¹⁷⁾Based on the text of the decision announced by Hadi on April 7, delegating his powers to a presidential council.



At the same time, such a body will have a role that may be equivalent to that of other authorities, legislative or judicial ones, even if its work is limited to political decision.

Mechanisms, therefore, are formed whose tasks are to establish legislation parallel to a defining stage.

There is no doubt that the Presidential Council's mechanism of action took into account one of the most serious flaws that could be at the top of the Yemeni political decision.

Such flaws might be differences within the Council and its political decision that is jointly shared by eight members.

As is known, the Council brings various military forces operating on the ground together.

This will have consequences on the next stage, which is expected to be according to one of the two following scenarios: the first one is to extend the armistice and to have preparations for holding negotiations under the auspices of the United Nations for a comprehensive.

The second scenario suggests that armistice to collapse, so that war is bound to happen.¹⁸

Hence, this council is a double-edged sword. In other words, while its unification will have the effect of preparing the general situation for many awaited tasks, divisions within it will lead to a state of military unrest.

In a situation like this, weaknesses and strength factors of the Presidential Council emerge that would greatly affect its performance.

(18) Maysa Shuja al-Din, "Presidential Councils in Yemen: Exploring Past Attempts to Share Power and Possibilities for the Future," Sana'a Center for Strategic Studies, 12/05/2021: bit.ly/3Mx7aHK.



Weaknesses

Several drawbacks might appear related to the content of the Presidential Council, whether in terms of its heterogeneous political composition, or in matters associated to external influence factors, let aside relevant historical factors. Here are some of those negative effects:

- Historically, a genuine national reconciliation in Yemen has never succeeded between political parties, including the presidential councils that were established as a formula that guarantees the partnership of more than one party in the process of political decision-making, as all the experiences of the presidential councils failed and ended with coups or assassinations.¹⁹
- The Council is criticized for having been formed and announced abroad, even though the participants in the Riyadh consultations had no ideas about forming it.²⁰

This highlights two issues:

1- It was doubtful that the council is the embodiment of a purely Yemeni consensus, especially since it is made up of figures affiliated with Saudi Arabia and others with the UAE.

2- Raising concerns about how far the external influence can affect major decisions on the country's policy.

- The council is based on a quota system, consisting of shares, which depend on a geographical cantonization (North and South). It also includes personalities representing major geographical blocs.

This has many drawbacks, the most important of which are:

1- The Council adopts a solution connected with identities. Applying such a policy, however, has already failed in Lebanon and Iraq.

2- Any solution based on this content will remain deficient and constitute a focus of territorial disputes, as some regional blocs will see themselves marginalized (for example, the Tihama region in the north).

(19) Majed Al-Madhaji, "The Council must be ready to rule, negotiate and fight," Sana'a Center for Strategic Studies, 9/04/2022: bit.ly/3KnCN4Y.

(20) Maysa Shuja al-Din, "Great Dangers Facing the New Presidential Council," Sana'a Center for Strategic Studies, 9/04/2022: bit.ly/3KnCN4Y.



- The Presidential Council recognizes the victory of a party in the south, i.e. Al-Zubaidi, which represents a traditional tribal alliance based on Al-Dhalea, Yafa' and Radfan.

The Council's struggle with a bloc of regions to which Hadi belongs, dates back to old conflicts, whether in the events of January 1986 in the south,²¹ or in the war of summer 1994, which was resolved by Ali Saleh's forces against his partner in the union, Ali Salem al-Beidh.²²

This would keep the catalysts for conflict in the south permanent.

- Making the political decision shared by more than one party may constitute a focus of tension and divisions in the highest political body in the country.
- Fears that this formula will become a catalyst for deepening regional divisions, and what might result from that resulting of blocs that would be formed at the head of political decision-making circle.
- If the Presidential Council as a team consists of several representatives, who likely have conflicting views, engages in negotiations with the Houthis, a weakness will emerge in the face of a united party that has a consolidated policy, as the case in the Houthis; the latter, therefore, will have an opportunity to take advantage of their differences.

(21) The events of January took place in southern Yemen in 1986 as supporters of the southern president, Ali Nasser Muhammad, mainly from the tribes of Abyan and Shabwa, clashed with a tribal alliance that controlled the army (the tribes of Al-Dhalea, Yafa and Radfan). The events began when supporters of the southern president killed Defense Minister Ali Antar and Shallal Shaye Hadi (father of the leader in the Transitional Council, Shallal Hadi). After the army ended the battle, Abd Rabbo Mansour Hadi was among the fugitives of Ali Nasser's supporters to the north.

(22) In the summer war of 1994, which Ali Abdullah Saleh launched from the north against his unit partner Ali al-Beidh, the defeated party in the January events was among the northern forces that won.



Strength factors

By the way, there are some strength factors that can support the performance of the council if its members take into consideration the importance of overcoming the faults and facing any negative factor that could affect their performance. These strengths can be identified as follows:

- The Presidential Council can reassure external forces that played a passive role in the conflicts between the government and the STC, especially since the government cannot carry out its tasks without real support.
- Legitimacy has been accused of being subservient to a political party, therefore justifications for political or economic failures no longer exist.
- This procedure helped the government return to Aden. Not only that, but also it could allow the government to perform its tasks and enable it to rebuild government institutions.
- After a significant reduction in the Saudi support for the Yemeni government, Riyadh pledged, after the formation of the Presidential Council, to support Yemen with three billion US dollars. This offer will be in addition to 300 million US dollars, which Saudi Arabia announced to provide for the United Nations' (UN) humanitarian response plan.
- If the representatives of the Council are able to have a unified political decision in line with the interests of the Yemenis, this will be translated in an unprecedented way on strengthening stability.

All strength factors, however, depend to a large extent on how serious the coalition countries are in making the transitional period a success. The importance of the resulting decisions and whether they will achieve the interests of the Yemenis or represent the interests and visions of the external powers are two essential factors upon which strength factors depend as well.



Possible motives behind the formation of the Council

In his first speech, the head of the presidential council, Rashad al-Alimi hinted that it is time to bring all parties together just as it is the case in the Council. This means that the previous period witnessed divisions and confrontations during Hadi's era in the anti-Houthi front.

Al-Alimi pledged to work to end the war and establish peace, describing the council as a "peace council."

"Despite that," Al-Alimi added, "it is also a council of defense, strength, and unity, its mission is to defend the sovereignty of the country and protect citizens."²³

This is a clear message to the Houthis that it is true that the council is extending a peace offering but at the same time it is ready for war as a united party.

Thus, the formation of the council at the present time indicates that Saudi Arabia really wants to get out of the war in Yemen via this body.

This also comes when the Gulf countries have a strong desire to devote themselves to development, which is exactly presented in the Saudi Crown Prince Mohammed bin Salman's Vision 2030.

Reaching a settlement is an important step, thanks to the international encouragement, specifically from the administration of US President John Biden, who stressed in his election campaign that ending the war in Yemen is among his priority concerns.

Biden welcomed the truce announced by UN envoy Hans Grundberg in early April, but the former said: It is not enough and that everyone must work to end the war.²⁴

Saudi Arabia must have other motives that it bet on within the council's representations. It is to reach consensus within the coalition about curtailing a political party. Perhaps this comes in line with the position of the Houthis toward the Hadi government.

(23) This came in a letter to Al-Alimi after his announcement as head of the Presidential Council.

(24) "An international welcome for the armistice in Yemen and calls for a permanent cessation of the war," Belqis Channel, 2/04/2022: bit.ly/36SX8kZ.



The Houthis have long described the government's fighters as terrorists of "Al-Qaeda" and "ISIS", which is the same term that was used by the Transitional Council during its confrontations with government forces in southern Yemen.²⁵

Legislating some ceremonies in a city after banning them

The conflict between the government and the "Transitional Council" prevented the return of President Hadi and his deputy to Aden, in addition to the heads of the House of Representatives and the Shura Council, and the Prime Minister, in most of the periods, during which the council was controlling Aden.

With the formation of the Presidential Council, the red lines, which used to prevent Yemeni state officials to return wiped out. It was, at least, the case in the swearing-in ceremony of the council's constitutional oath before members of the House of Representatives in Aden.

It should be noted that while the Riyadh Agreement was signed between the government and the transitional council (STC) did not allow the return of President Hadi, the latter announced the formation of a government in which the STC participated.

The government took the constitutional oath before him in Riyadh, contrary to what the agreement stipulates that this be done in the temporary capital, Aden.²⁶ Yet, the security and military part of the agreement has been unimplemented, as the STC is responsible for implementing it. Nevertheless, the installation activities of the Presidential Council indicate that the excluded party is the obstacle to any settlement.

It is noteworthy that it is the first time in Yemen that a presidential body is represented to take the constitutional oath in a hotel hall.

(25) "After al-Bayda, the end game in Yemen," the International Crisis Group, 14/10/2021: bit.ly/3kiKWgt.

(26) "Yemen: The new government takes the oath in Riyadh by President Hadi," "France 24," 26/12/2020: bit.ly/37OVu4n.



On the ninth of April, the eight members of the Presidential Leadership Council, at the Coral Hotel in Aden, took the constitutional oath before the Speaker of Parliament and about 120 deputies, less than half the number of Yemeni parliamentarians.²⁷

In procedures that lack Yemeni constitutional legislation, an international legal basis was introduced in the presence of the UN envoy, ambassadors from major powers and Gulf countries, headed by the Saudi ambassador, Muhammad Al Jaber.²⁸

Saudi security forces were securing the perimeter of the hotel, where the swearing-in ceremony took place.

They were also supervising security arrangements inside the hotel.

Security forces strictly prevented attendees from bringing their mobile phones, as well as any personal weapons or armed escorts.

A breach, however, occurred when a bodyguard of the Presidential Leadership Council's member, Aidarous Al-Zubaidi, ignored this ban and escorted the latter to the door of the hall.²⁹

Another minor breach occurred in Al-Zubaidi's swearing-in of the constitutional oath, as he was keen to put the insignia of the separatist flag.

He also refrained from mentioning the word "unity", and only mentioned "the order" and refrained from adding the "republican" as stipulated in the text of oath.³⁰

Thus, he assures his supporters that his presence in the council will not prevent him from demanding the secession of the south.

Other southern representatives in the Presidential Council adhered to the constitutional oath, as it is in the text.

(27) "The Presidential Council takes the constitutional oath in Aden," "Aden Al-Ghad":19/04/2022. <https://bit.ly/3OFJJOg>.

(28) The information is based on what the researcher told a member of Parliament who was present during the swearing-in in Aden.

(29) Information obtained by the researcher from sources who were present in the hall of the Coral Hotel, which witnessed the swearing-in of the Yemeni Presidential Council.

(30) According to what was included in the events of the constitutional oath, broadcast on the official Yemeni channel affiliated with the government.



Ambiguous settlement

The current truce gives an impression of goodwill between the conflicting parties in the Yemen war, specifically the stress that is referred to in this truce about breaking the siege imposed on Sanaa Airport since 2015. Accordingly, two commercial flights were announced per week to Amman and Cairo. The first flight to Amman was launched on Sunday April 24.

On the first of April, the UN envoy, Grundberg, announced the validity of the armistice between the parties to the conflict, after meeting with Houthi leaders during his visit to Sana'a.

Despite the truce, the Houthis did not welcome the current Presidential Council, as their spokesman, Muhammad Abd al-Salam, considered it “illegal.” Abd al-Salam accused the coalition of “regrouping scattered and conflicting militias” into one body that serves the coalition itself, which “has nothing to do with peace”

.³¹

In response to calls under the Gulf invitation to participate in the Riyadh consultations, last March, the Houthis targeted Aramco facilities in Saudi Arabia with ballistic missiles. Following the attack, Riyadh declared that it was not responsible for the lack of oil supplies in the global market and called on the international community to be aware of the danger of Iran's continued supply of weapons to the Houthis.³²

This warning comes at a time when oil markets have been affected as a result of the Russian invasion of Ukraine. It is not unlikely that Riyadh intends to exit the Yemen war with a comprehensive settlement, as it did not even target the Houthis with retaliatory strikes. It can also be concluded that there are plans for holding negotiations.

The Houthis did not object to be engaged in negotiations, rather than they refused to be held in Riyadh.

(31) “The Houthis on the “Presidential Command Council”: “Recycling of mercenaries” and “aggressors of countries” are pushing towards escalation, “CNN” in Arabic, 07/04/2022: [cnn.it/3MyTb43](https://www.cnn.it/3MyTb43).

(32) “Saudi Arabia disclaims responsibility for any shortage in oil supplies,” Asharq Al-Awsat newspaper, March 21, 2022: bit.ly/3vNzoXX.



They demanded that negotiations to be in neutral territory, while stressing that lifting restrictions on Sanaa airport and ports should be a priority.³³

This was practically implemented in the current armistice, with a limited opening of Sanaa airport, and allowing ships loaded with oil products, which were detained, to enter the port of Hodeidah.

It is likely that the announcement of Yemeni negotiations under the auspices of the United Nations is only a matter of time.

This, in fact, was the goal of transferring power from Hadi to a presidential council, that is, to pave the way for negotiations and a settlement with the Houthi group.

However, inviting the Houthis to attend the Riyadh's sessions raises questions about whether there is a desire to give them a representation in the declared presidential council.

Will the Houthis accept the partnership?

Regardless of whether the presidential council is a template ready to include more than one representative to be partners in the presidency, or not, several complications are raised about the content of the proposed settlement, especially with regard to the implementation of military and security agreements, to unite all parties within one government.

It is clear that the content of the political solution is founded on identity-based political quotas legislation, similar to the representations of the Presidential Council, while, in practice, obstacles likely to hinder the process of implementing the solution, especially if it includes the return of the government, with its various representations, to Sana'a. This, of course, is the main item that should be included within the solution.

(33) "Al-Houthi accepts negotiations and refuses to hold them in Saudi Arabia," The Independent, Arabic, March 16, 2022: bit.ly/3kgk0ho.



Accordingly, several obstacles will emerge that prevent a real settlement, the most prominent of which are:

1- After a long war fought by the Houthis, they cannot give up the unilateral influence they have imposed in their areas of control, that could be used in playing a role in any real political partnership. This is what other groups will do.

2- The return of the government to Sanaa requires preparing it under an independent military and security force that is not subject to one party. It, therefore, would be pure fiction to rely on the goodwill.

3- In Aden, Saudi Arabia and the UAE can provide a security and political cover for the representatives of the Presidential Council. This can help prevent subordinating some parties to others who have more military capabilities, while the Houthis will not be subject to this influence.

4- Any political agreement will remain fragile if the parties do not craft reconciliation that guarantees the independence of the army and security forces. Agreeing on the concept of the peaceful transfer of power is essential in this term.

5- Currently, among the Yemeni parties, the Houthis is the strongest one militarily and politically. As such, any agreement that would consider this group as same as any weaker party in the presidential council, will not satisfy the Houthis at all. However, it will comply with any formalities, while retaining its influence in its areas of control, let aside its military power.

This can be applied to all Yemeni parties, as none of them is ready to give up a political guarantee for their presence in power, which is the military force. We should not speculate that any future settlement will be based on the basis of political sharing, authorizing each party to retain its military areas of influence. This will keep matters complicated rather than possible for parties to reach an agreement.

Conclusion

It is not excluded that Hadi was under Saudi pressure, consistent with international support, that prompted him to announce the transfer of his powers to a presidential council.

This could have happened especially if we consider a report was published by an American newspaper, saying that Hadi was being under house arrest in Saudi Arabia.³⁴

Another indicator could be taken into consideration is that the US State Department announced that it does not have any reports or information on this matter.³⁵

The issue of transferring Hadi's powers has been of interest to Yemeni and foreign parties. A link was made between the collapse of the 2016 negotiations, and Hadi's appointment of Ali Mohsen al-Ahmar as deputy, in place of Khaled Bahah.³⁶

The latter was an acceptable option by all parties, to which Hadi could transfer his powers.

There were many proposals on the issue of reforming the legitimacy, including changing the position of the vice president, or appointing a second vice president, in addition to appointing two vice-chairmen, one from the north and the other from the south. Reports indicated that interested parties may try to develop alternative "legal" Yemeni power centers.³⁷

In the absence of a legitimate way out, an idea emerged that suggests imagining an ideal scenario that predicts the presence of a president who is a popular figure accepted by all political parties, in addition to his commitment to bringing peace.³⁸

(34) "The president of Yemen is subject to home arrest and they threatened him to expose his corruption!" Wall Street: Saudi Arabia pressured Hadi to step down," Arabi Post, 18/04/2022: bit.ly/3vMDPLU

(35) "Washington comments on reports about Saudi Arabia forcing Hadi to step down from the presidency of Yemen," "Russia Today" 18 /04 /2022: bit.ly/3rUPNjC.

(36) Elana DeLozier, "'legitimacy' surrounding the Yemeni president complicates the process of his replacement," "Fellow in the Bernstein Program on Gulf and Energy Policy at the Washington Institute for Near East," 15/04/202: bit.ly/3vhZ3Jf.

(37) Ibid.

(38) Ibid.



Because of the difficulty of finding such qualifications in one person, the proposal of the Presidential Council evolved to represent many political components. On the seventh of April 2022, the formation of this council was announced, in a manner that violates the constitution.³⁹

In the present case, all Yemeni parties are equal. It is likely that they would be engaged in negotiations in the coming period. It needs to wait for the content of the settlement, which was prepared had it not been for what was considered the dilemma of “legitimacy”,⁴⁰ which has become an issue that must be replaced. This must be a sign of a negotiation stage, but rather a political settlement with a cloudy future.

(39) Anwar Al-Ansi, “Yemen: What and Who Is Behind the Formation of the Presidential Council? And what are the challenges ahead?”: BBC Arabic . 8/04/2022: [bbc.in/36Rh2wG](https://www.bbc.com/arabic/news-yemen-61042022).

(40) “Legitimacy” is the common description of the internationally recognized Yemeni government, which Hadi represented as an essentially legitimate president.



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