

Civil society's diagnosis of the 2013 National Dialogue Conference (NDC) in Yemen

(why) did it fail?

* Moosa Elayah, Luuk van Kempen & Lau Schulpen

Background materials and Arabic version of policy brief are available from: www.ndc-nwo.ruhosting.nl/wordpress

This brief highlights selected findings from a study documenting the civil society perspective on the much-touted Yemeni national dialogue experience. Interviews were conducted with 50 CSOs covering all of the country's governorates. Half of the consulted organisations were directly involved in the NDC, either as invited participant or in a supportive role. The other half concerns outside observers. The CSO view is contrasted with the international expert view, extracted from an extensive literature review. The NDC is also compared to earlier dialogues in the country as well as with recent national dialogue experiences elsewhere in the region. The Yemeni-Dutch research team conducted the interviews in Q4 of 2015 and Q1 of 2016, when war raged in many parts of the country and in the midst of the Saudi-Arabian led military intervention (Operation *Decisive Storm*).

Main weaknesses

- ▶ Lack of transparency in the selection procedure of NDC members, allowing partisan interests to prevail.
- ▶ Failure to neutralize armed groups before conference start (threat of violence derailed power balance in NDC).
- ▶ No investment in trust-building among negotiating groups prior to NDC, nor in creating individual commitment among delegates; some not seriously involved, only there to obstruct or 'cash in' (high fees).
- ▶ Lack of selectiveness in agenda and procedures not tailored to nature of issues.
- ▶ Non-democratic leadership of NDC president and alleged partiality of UN envoy.
- ▶ No mechanism for implementation of outcomes on the ground (no guarantees).

Key strengths

- ▶ Inclusiveness; societal groups (women & youth) invited, who were denied a voice for long. This is considered truly revolutionary.
- ▶ NDC was well-prepared and enjoyed strong support from the international community, both financially and politically.
- ▶ The mere fact that political factions sat together at one table, discussing the key challenges of the country, including the most contentious ones, is a success in itself.
- ▶ NDC reached consensus on many important issues, making its decisions a useful starting point for future peace deals.

Main controversies within civil society

Insiders vs. outsiders

- ▶ Outsiders question legitimacy of delegates from societal groups and deplore the lack of pre-consultation with the broader public and local communities.
- ▶ Despite strong overall polarisation on the role of media in NDC coverage, a positive impression dominates among insiders, whereas outsiders tend to blame the media for biased or non-information.
- ▶ Insiders are less appreciative of the quality of preparation of the NDC and also express more scepticism regarding the outcomes achieved compared to outsiders.
- ▶ Outsiders are more critical regarding the role of the UN, especially their special envoy, than insiders.

Key points of divergence with literature

National vs. international

- ▶ Several foreign observers argue that NDC was bound to fail (waste of resources), given the complex context of state failure, poor security situation, and moribund economy. No such defeatist sentiment is present among local CSOs. Conviction that it was only way out and worth pursuing.
- ▶ Literature stresses lack of procedural guidelines and unrealistic timeline. CSOs rather express impatience with process.
- ▶ The literature critiques the Gulf Council Initiative for exerting undue pressure and influence, thereby undermining national ownership. Local civil society disagrees and takes issue with the interference by regional powers Iran/Saudi Arabia instead.

How unique is the NDC?

- ▶ NDC preceded by series of small/short dialogues in 1960s, and larger/longer ones around the 1994 civil war and before Arab Spring (2006-10). With one exception (Harad, 1967), none of them were able to foster stability and peace.
- ▶ Early dialogues often invoked regional powers (Egypt and Saudi Arabia) to break deadlock among local strongmen.
- ▶ NDC distinguishes itself from previous dialogues in scale, diversity of participants (incl. women and youth), breadth of issues covered, public setting, and level of transparency.

within
Yemeni
context

within
regional
context

- ▶ NDC is only dialogue facing tribal, sectarian, Jihadist and secessionist threats simultaneously.
- ▶ Shares important features with national dialogues in Afghanistan (2002) & Iraq (2008), but less emphasis on reconciliation (Afghan.) and resource distribution (oil rents Iraq)
- ▶ Different from Tunisia's 2013 "Quartet" dialogue; initiated by strong civil society groups in the country (incl. workers and employers) rather than imposed by foreign powers and tackling fewer issues in more private setting after trust-building exercise.

Selected lessons for future dialogues in Yemen:

- ▶ Take more care in selection of participants; include intellectual elite, provincial leaders, and ensure broader representation from Sa'ada and Hiraak. Exclude army members from dialogue. Be more transparent on selection.
- ▶ Make more effort to involve government (bureaucracy) in dialogue to avoid lack of support during implementation (weak role for PM of transition government in NDC backfired).
- ▶ Draw up complete roadmap for national dialogue, including a more streamlined agenda and implementation schedule, which may require pre-agreements on key issues (to narrow decision frame) and a focus on high-level decisions only, to be worked out in smaller assemblies afterwards.
- ▶ Invite civil society groups conditional on grassroots consultation and stimulate their internal coordination.

Key results by theme

Overview of themes

- 1 - Inclusiveness & Legitimacy
- 2 - Feasibility: Enabling environment & preconditions
- 3 - Efficiency: Design, Management & Leadership
- 4 - Effectiveness: Scope & Outcomes
- 5 - Information & Outreach
- 6 - Role of International Actors

- ▲ Strength according to CSOs
- ▼ Weakness according to CSOs
- ◀ Controversy within CSO community
- ▶ CSOs in disagreement with literature

1 - Inclusiveness & Legitimacy

▲ Inclusion of societal groups (women, youth, civil society), who were denied a voice for long [all: 58%; outsiders: 52%].

▼ Lack of transparency in the selection procedure of NDC members, allowing partisan interests to prevail. [all: 34%; facilitators: 55%].

▶◀ Outsiders question legitimacy of delegates from societal groups and deplore the lack of pre-consultation with the broader public and local communities. [outsiders: ▼28%; insiders: 0%]

2 - Feasibility: Enabling environment & preconditions

▲ The mere fact that political factions sat together at one table, discussing the key challenges of the country, including the most contentious ones, is a success in itself.

▼ Failure to neutralize armed groups before conference start (threat of violence derailed power balance in NDC).

▼ No investment in trust-building among negotiating groups prior to NDC, nor in creating individual commitment among delegates; some not seriously involved, only there to obstruct or 'cash in' (high fees). [all: 58%; outsiders: 72%].

◀▶ Several foreign observers argue that NDC was bound to fail (waste of resources), given the complex context of state failure, poor security situation, and moribund economy. No such defeatist sentiment is present among local CSOs. Conviction that it was only way out and worth pursuing.

3 - Efficiency: Design, Management & Leadership

▲ NDC was well-prepared [all: 50%; facilitators: 73%].

▶◀ Insiders are less appreciative of the quality of preparation than outsiders [outsiders: ▼16%; facilitators: ▼9%; insiders: ▼64%].

▼ Non-democratic leadership of NDC presidency + incompetent technical committee and leaders of working group committees [all: 48%].

◀▶ Literature stresses lack of procedural guidelines and unrealistic timeline. CSOs rather express impatience with process.

4 - Effectiveness: Scope & Outcomes

▼ Lack of selectiveness in agenda and procedures not tailored to nature of issues [all: 38%; facilitators: 9%].

▲ NDC reached consensus on many important issues, making its decisions a useful starting point for future peace deals

▶◀ Insiders express more scepticism regarding the outcomes achieved compared to outsiders

▼ No mechanism for implementation of outcomes on the ground (no guarantees) [all: 46%].

5 - Information & outreach

▶◀ Despite strong overall polarisation on the role of media in NDC coverage [▲28% vs. ▼32%], a positive impression dominates among insiders, whereas outsiders tend to blame the media for biased or non-information.

◀▶ Not as much emphasis on “public education” among CSOs as among international experts

6 - Role of International Actors

▲ NDC enjoyed strong support from the international community, both financially and politically.

▼ Alleged partiality of UN envoy

▶◀ Outsiders are more critical regarding the role of the UN, especially their special envoy, than insiders.

◀▶ The literature critiques the GCC Initiative for exerting undue pressure and influence, thereby undermining national ownership. Local civil society disagrees and takes issue with the interference by regional powers Iran/Saudi Arabia instead.

Conclusion

▶◀ Insiders often more critical on *process* aspects than outsiders, but also on outcomes.

◀▶ Despite failure to prevent war, Yemeni CSOs do not generally regard the NDC as a waste of resources, but rather as an inevitable and worthwhile step towards peace & stability

General reflections on designing a national dialogue

Informed by comparing the Yemeni experience to national dialogues in Afghanistan (2002), Iraq (2008) & Tunisia (2013)

▶ **PRECONDITIONS;** Appreciate the revolutionary aspect of having women and youth represented in the political arena [Afghanistan & Yemen]. Allow traditional players some time to come to terms with these new entrants in the political game. A 'slow start' could provide some space to build basic levels of trust between incumbent and new factions. A trust-building phase before entering into formal negotiations was (successfully) tried in Tunisia, although participation of women in political affairs historically enjoyed a relatively high level of acceptance in this context. It is unclear whether trust-building should be a separate phase, or can be part of a reconciliation stage, which the literature on national dialogues singles out as highly conducive for success. Reconciliation was part and parcel of the Iraqi dialogue, albeit in a deeply flawed manner.

▶ **PRECONDITIONS;** Make strategic use of economic support alongside political support. Carrot-and-stick tactics, where willingness to enter into dialogue is (loosely) tied to funding for economic investments, have been applied in Afghanistan and Iraq with some success. In Yemen the (re)building of the economy has not received similar impetus during the dialogue period. Improving economic prospects (at the right time) should enhance the 'peace dividend' for the dialoguing partners.

▶ **INCLUSIVENESS & LEGITIMACY;** Beware of the risk of competing loyalties of marginalised groups that are granted reservations (quota) in the dialogue. The Yemeni experience revealed that some women occupying reserved seats did not (at least not primarily) represent women's voices, but were guided by their political or clan affiliation instead. Preventing such – forced or willing- cooptation by the political elite requires 'deep' knowledge of local (family-tribal and social class) structures.

▶ **INCLUSIVENESS & LEGITIMACY;** Contemplate the long-term implications of excluding actors with a (real or perceived) terrorist hallmark. Exclusion of the Taliban from the Afghan national dialogue is widely considered a strategic mistake, as also witnessed by the strong resurgence of Taliban forces today. It remains yet to be seen whether the Yemen dialogue drew the right demarcation line between eligible (Houthi) and non-eligible (Al-Qaeda) factions, but their respective degrees of local embeddedness and popular support seem more useful inclusion criteria than the degree to which they are perceived by foreign actors as a threat to international security. In fact, peaceful civil society participants should also be scrutinized for having a 'grassroots' constituency in order to safeguard their legitimacy.

▶ **INCLUSIVENESS & LEGITIMACY;** Consider the potential role economic actors could play in the dialogue. The Tunisian 'Quartet' included representatives of business and workers, which is considered one of the factors leading up to its success. In none of the other dialogues, groups were included based on their economic function. However, it is yet unproven whether this would work in countries where economic actors, or civil society in general, do not enjoy the same level of organisation as in the Tunisian case.

▶ **EFFECTIVENESS;** Anticipate that a country may need a sequence of dialogues (with intermittent "relapses" into armed strife) to wane itself off a tendency to settle grievances through violence. The history of dialoguing in Yemen bears this out (series of dialogue events were clustered within relatively short time spans). A relapse does not automatically imply that local actors perceive the dialogue as an outright failure, or that "no dialogue" would have been better than a "failed dialogue", that is as long as the dialogue delivers some negotiated outcomes that can be picked up in the next round of dialogue.