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Mini  
Negotiation  
Simulation



# YEMEN: POWER SHARING

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# LAWYERING PEACE

## Mini-Negotiation Simulation

### Yemen Power-Sharing

The purpose of this negotiation is to identify the challenges involved with negotiating a power-sharing agreement and end the current conflict in Yemen. The intention is to explore potential points of agreement or disagreement among the key negotiating parties. Through the simulation, participants will debate their positions, learn negotiation techniques, identify points of conflict, and discuss potential solutions.

The simulation will tee up the conversation in the remainder of the class time on the question of power-sharing in peace agreements, and draw from the relevant chapter in *Lawyering Peace* as well as the supplementary material, if any, provided on the class website.

The Yemeni Civil War began in 2014 and escalated into a complex conflict involving various regional and international actors. The two primary parties in this negotiation are the Yemeni government and the Houthi rebels, both of whom have been engaged in armed conflict for years. The conflict has caused widespread humanitarian suffering, with significant impacts on civilians and the country's infrastructure. The United Nations is acting as a mediator, attempting to facilitate a power-sharing agreement between the government and the Houthis to achieve a peaceful resolution to the conflict.

#### **Parties**

- Government of Yemen
- Houthis
- United Nations (mediator)

**Time Allotted:** 45 minutes

**Instructions:** Prior to negotiations, each delegation will meet for 5 minutes to discuss negotiation strategies and their positions with respect to a power-sharing agreement between the government of Yemen and the Houthis. You may assume that other issues are on the agenda for a later session and will be addressed in subsequent negotiations.

### **Agenda**

- Individual Delegation Meetings (5 minutes)
- Plenary (15 minutes)
- Individual Delegation (5 minutes)
- Plenary (20 minutes)

### **Conflict Background**

The Yemeni Civil War, which began in 2014, is a multifaceted conflict that has led to a severe humanitarian crisis with significant geopolitical implications. The conflict is primarily between the Yemeni government, supported by a coalition of Arab states, the US and the UK; and the Houthi rebels, who are aligned with Iran. The war has caused widespread devastation, including significant civilian casualties, displacement, and disruption of essential services. See Annex 1 and 2 at bottom of document.

- *Humanitarian Crisis:* The conflict in Yemen has resulted in a dire humanitarian crisis, with millions of people facing food insecurity, lack of access to clean water, and limited healthcare. This humanitarian aspect of the conflict underscores the urgency of reaching a peaceful resolution to address the suffering of the Yemeni population.
- *Geopolitical Implications:* The Yemeni Civil War has wider geopolitical implications, with regional and international actors involved in the conflict. Iran's support for the Houthi rebels has heightened tensions between Iran and Saudi Arabia, the leader of the Arab coalition supporting the Yemeni government. The involvement of regional powers adds complexity to the negotiation process as the interests of these external actors may influence the positions of the main parties involved.
- *Fragmentation and Power Struggles:* The conflict has exacerbated internal divisions within Yemen, leading to fragmentation of authority and control

over various regions. This fragmentation complicates the negotiation process as the parties must grapple with issues of territorial control and power-sharing arrangements that address the concerns of different factions.

- *Impact on Civilians and Infrastructure:* The war has taken a heavy toll on civilians, with numerous casualties and damage to critical infrastructure such as schools, hospitals, and water facilities. The parties must consider the long-term impact on civilians and the country's ability to recover and rebuild during the negotiation.

## **2022 UN Mediated Truce**

In 2022, Yemen experienced a significant development towards peace when a much-awaited truce was brokered between the warring parties. The Yemen truce, a crucial step towards ending the devastating conflict that had ravaged the country for years, brought hope to millions of Yemeni civilians who had been suffering from the consequences of war. The agreement aimed to establish a cessation of hostilities, facilitate humanitarian access, and create conditions for meaningful dialogue towards a lasting peace. While challenges persisted, the 2022 truce marked a crucial milestone in the path towards stability and alleviating the humanitarian crisis in Yemen.

## **Relevant United Nations Security Council Resolutions**

The United Nations Security Council (UNSC) has issued several resolutions concerning the conflict in Yemen, aiming to address the crisis and promote peace and stability in the region.

The most important resolution is UNSC Resolution 2216 (2015): This resolution, adopted in April 2015, *categorically reaffirms support for the legitimate government of Yemen*. The Resolution also imposes an arms embargo on the Houthi rebels and calls for them to withdraw from areas they have seized.

### **Key Points of Resolution 2216:**

- *Support for Legitimate Government:* Resolution 2216 reaffirms the international community's commitment to Yemen's legitimate government, led by President Abdrabbuh Mansur Hadi. The resolution emphasizes the importance of preserving Yemen's state institutions and constitutional order. It demanded that all Yemeni parties, in particular the Houthis, fully

implement Resolution 2201 (2015), which called for the Houthis to relinquish control of government institutions and withdraw from all areas they had seized.

- *Demand for Houthi Withdrawal:* The resolution calls on the Houthi rebels to immediately and unconditionally withdraw their forces from all areas they have seized, including the capital, Sanaa. The Houthis had taken control of the capital and other significant parts of the country, leading to the displacement of the legitimate government and escalating the conflict.
- *Imposition of Arms Embargo:* The resolution imposes an arms embargo on the Houthi rebels, their allies, and those loyal to former President Ali Abdullah Saleh. This means that all member states of the United Nations are required to prevent the direct or indirect supply, sale, or transfer of weapons, ammunition, and military equipment to these designated parties.
- *Sanctions:* The resolution allows for the imposition of targeted sanctions against individuals or entities deemed to be obstructing the implementation of the resolution or involved in actions that undermine Yemen's peace, security, and stability.
- *Peaceful Negotiations:* The resolution urges all parties in Yemen to engage in meaningful and inclusive negotiations towards a peaceful resolution of the conflict. It encourages a political dialogue and calls on all Yemeni parties to work towards a comprehensive and peaceful political transition.

### *Significance and Impact of UNSC Resolution 2216*

UNSC Resolution 2216 has been a significant reference point for the Yemen conflict and has shaped international responses to the war. The imposition of the arms embargo on the Houthi rebels aimed to limit their access to military supplies and encourage them to engage in negotiations. However, the resolution has been subject to criticism as some argue that it has further complicated the conflict and hindered access to essential humanitarian aid.

The call for the Houthi rebels to withdraw from seized areas and the reaffirmation of support for President Hadi's government have impacted the dynamics of the conflict. The resolution's support for the legitimate government has been instrumental in maintaining international recognition of Hadi's leadership and Yemen's sovereignty.

While the resolution was adopted with the intention of promoting peace and stability in Yemen, its implementation has faced challenges. Parties involved in the conflict have often violated the provisions of the resolution, leading to ongoing hostilities and difficulty in reaching a comprehensive and sustainable political solution.

As negotiations continue, Resolution 2216 remains relevant as it underscores the international community's desire for a peaceful political transition in Yemen and serves as a foundation for diplomatic efforts to end the conflict and find a viable power-sharing agreement. However, the resolution's strict measures and potential consequences have also contributed to the complexities of the negotiation process and the parties' positions.

### **Issue for Negotiation**

The primary point of contention in this round of negotiations is the distribution of power and authority between the government and the Houthis. The parties must decide on the structure of the power-sharing agreement, including questions of regional autonomy, control over critical institutions, and the formation of a transitional government.

### **Party Positions**

#### *For Government of Yemen*

- The government believes that they represent the legitimate authority in Yemen and should have a dominant role in any power-sharing arrangement. They argue for a centralized government with control over key institutions and regions to ensure stability and security.
- The government acknowledges the significance of the 2022 truce in reducing hostilities and opening the door for negotiations. They view the truce as a stepping stone towards a comprehensive peace agreement but emphasize that any power-sharing arrangement should be based on the existing constitutional framework and the government's legitimacy as the recognized authority in Yemen
- The Yemeni government may use UNSC Resolution 2216 to strengthen its legitimacy and assert its position as the internationally recognized authority

in Yemen. They may insist on the Houthis' compliance with this resolution, including the withdrawal of Houthi forces from seized areas and the acceptance of the government's authority.

- The government may be reluctant to share power with the Houthis, considering their history of armed rebellion and concerns over potential Iranian influence. The government may have reservations about making significant concessions to the Houthis, citing concerns that such concessions might undermine their authority and lead to further fragmentation of the state.

#### *For Houthis*

- The Houthis demand more significant representation in the power-sharing agreement, arguing that their group represents a significant portion of the Yemeni population. They advocate for regional autonomy and influence, especially in areas where they have substantial support.
- The Houthis view the 2022 truce as a positive development and an opportunity to build trust and find a lasting solution. They argue that the truce demonstrates their commitment to a peaceful resolution and should be recognized as a basis for equitable power-sharing, given their substantial territorial control and influence over a significant portion of the population.
- The Houthis may demand a review or reconsideration of UNSC Resolution 2216, as they perceive it as favoring the government and its regional allies. They may also call for the UN to address the issue of the arms embargo on all parties involved in the conflict to create a more balanced negotiating environment.
- The Houthis may fear marginalization and a return to pre-conflict conditions if they do not gain substantial power-sharing concessions from the government. The Houthis might be wary of the government's intentions and fear that the truce could be used as a pretext to sideline their demands for more significant representation and regional autonomy.

#### *For United Nations*

- The UN aims to find a compromise that addresses the concerns of both parties and brings about a sustainable peace agreement. They stress the

importance of inclusivity and collaboration between the government and the Houthis to rebuild the country and address humanitarian challenges.

- The position of the UN as a mediator is hampered by Resolution 2216; and the mediation team will face intense international pressure to the extent it substantially deviates from Resolution 2216.
- The UN recognizes the importance of the 2022 truce as a critical step towards peace and a foundation for the power-sharing negotiations. The mediator encourages both parties to build upon the momentum created by the truce and engage in sincere dialogue to find mutually agreeable solutions
- The UN mediator may refer to previous resolutions as a basis for the negotiation process, seeking to build upon the consensus and international support expressed in these resolutions. The mediator may also stress the importance of implementing the provisions of these resolutions, such as the ceasefire in Al Hudaydah, to build trust between the parties.
- The mediator may face difficulty in bridging the trust gap between the government and the Houthis and getting them to agree on the extent of power-sharing. The mediator may face challenges in ensuring that both parties adhere to the truce's provisions and preventing any incidents that could escalate tensions during the negotiation process.

### **Additional Resources - Not Required Reading**

BBC News: Yemen Profile Website: <https://www.bbc.com/news/world-middle-east-14704951>

Al Jazeera: Yemen News Website: <https://www.aljazeera.com/topics/country/yemen.html>

Council on Foreign Relations (CFR): Yemen Conflict Website: <https://www.cfr.org/global-conflict-tracker/conflict/war-yemen>

United Nations - Office for the Coordination of Humanitarian Affairs (OCHA): Yemen Crisis Website: <https://www.unocha.org/yemen>

Middle East Eye: Yemen Conflict Website: <https://www.middleeasteye.net/tags/yemen-conflict>



Human Rights Watch (HRW): Yemen Website:  
<https://www.hrw.org/middle-east/n-africa/yemen>

Amnesty International: Yemen Website:  
<https://www.amnesty.org/en/countries/middle-east-and-north-africa/yemen/>

The New York Times: Yemen Website:  
<https://www.nytimes.com/topic/destination/yemen>

**Annex 1: AlJazeera - Multimedia - [Analysis: Fighting recedes, but peace in Yemen remains distant](#)**

**Annex 2: [AlJazeera - At long last, there is real hope for peace in Yemen](#)**

*The international community owes it to long-suffering Yemenis to not let the current momentum go the way of previous flurries of hope.*

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Mustn't jinx anything by talking about it too loudly. But for the first time in years, Yemen – scene of one of the cruelest conflicts and humanitarian tragedies in recent decades – offers some real grounds for hope.

While the Yemenis must decide on their own political future, the international community owes it to them to do whatever is possible to support the current momentum – before it goes the way of previous flurries of optimism.

Despite [formally elapsing](#) last October, the UN-brokered truce, which began in April 2022, is largely holding. This was a major step. The agreement led to reduced violence and improved humanitarian access throughout Yemen. But the resumption of full-scale violence remains a real possibility. All sides need to transform this truce into a permanent and comprehensive ceasefire with monitoring arrangements.

This will take time. But there are 21.6 million Yemenis in desperate need of humanitarian assistance, which has to be continued. Strengthening the ability of local authorities to provide basic services is one way of doing this.

Saudi Arabia and Ansar Allah, also known as the Houthis, are [now talking directly](#) and increasingly openly. Two high-level Saudi-Omani delegations visited Sanaa earlier this year. Such meetings, aimed at achieving a Saudi-Houthi modus vivendi, must also gradually involve the perspectives of others. Simultaneously, Riyadh has to ensure these discussions don't [undermine](#) talks between the internationally recognised government of Yemen, represented by the Presidential Leadership Council (PLC), and Ansar Allah.

Parallel dialogues continue on the parameters of a roadmap to advance the peace process among a range of Yemeni, regional and international actors. Here, coordination with the UN Special Envoy is key. Consultations with a broad spectrum of actors, including women, youth and civil society, must feed into the peace process so that international action can contribute to the conditions necessary for inclusive intra-Yemeni political dialogue.

Across the region, other positive signs are also emerging. Saudi-Iranian talks in Baghdad and Muscat led to the China-brokered [Trilateral Statement](#) in March this year. With [embassies reopening](#) and President Ebrahim Raisi of Iran even considering an invitation from Saudi King Salman to Riyadh, careful handling could see the beginning of a detente between Saudi Arabia and Iran. While both sides remain sceptical of the other, such reconciliation could yield many fruits, not just for Yemen but also for maritime security, economic cooperation, Lebanon and Iraq.

Two developments offer further grounds for optimism about building confidence. In April, a large prisoner exchange was brokered by the UN Special Envoy Hans Grundberg and the Red Cross, leading to a welcome domino effect of more [prisoner deals](#). Secondly, efforts are finally underway to [make safe](#) the rusting ship [FSO Safer](#), following an agreement between the PLC and the Houthis, which could avert an environmental catastrophe four times bigger than the Exxon Valdez.

Additionally, flights from Sanaa have slowly been increasing since the first commercial plane in six years left the Yemeni capital in May 2022, while Hajj pilgrims departed [Sanaa airport for Jeddah](#) in June for the first time since 2016. These agreements on compassionate and technical grounds should provide the foundation for exchanges on trickier political issues.

But there is a long way to go before these encouraging signs are transformed into a comprehensive resolution of the conflict. This requires a coordinated approach

among all key actors both to develop a viable way forward and then to persuade all parties to stick to it. Reactivating coordination formats and developing innovative means of sitting together are needed.

For peace to last, only the Yemenis themselves – not external actors claiming to act on their behalf – can decide on their political future. That may sound glaringly obvious, but it is surprising how often this fact appears to be overlooked. Given the untold misery suffered in Yemen over the past nine years, history will judge the international community harshly if it fails to capitalise on the recent positive trends.

This is vital mainly for Yemenis and their neighbours. But it's also in the interests of Western countries who need to convince other regions that the invasion of Ukraine has not cast all other crises on the back burner. Moving fast, before momentum is lost, is as essential as doing it in ways that include all the main Yemeni parties.

***The views expressed in this article are the authors' own and do not necessarily reflect Al Jazeera's editorial stance.***

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