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# **CRUMBLING STATES**

## **Security Sector Reform in Libya and Yemen**

**Yezid Sayigh**

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## About the Author

**Yezid Sayigh** is a senior associate at the Carnegie Middle East Center in Beirut, where his work focuses on the Syrian crisis, the political role of Arab armies, security sector transformation in Arab transitions, the reinvention of authoritarianism, and the Israeli-Palestinian conflict and peace process.

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## Summary

Already-weak states in Libya and Yemen crumbled as struggles for control over their security sectors became central to transitional politics after the popular uprisings of 2011. Instead of being reformed and upgraded to enhance the fragile legitimacy of interim governments, the security sectors collapsed by 2014. Libya and Yemen are now caught in a vicious circle: rebuilding effective central states and cohesive national identities requires a new consensus on the purpose and governance of security sectors, but reaching this agreement depends on resolving the deep political divisions and social fractures that led to civil war in both countries.

### Failing to Meet the Challenge of Reform

- Control of the security sector became a key asset in Libya's highly competitive but poorly institutionalized political field. In Yemen, such control was important to those seeking to reproduce old elite politics.
- The struggle for control fragmented the security sectors in both countries, impeded them from fulfilling core missions, and blocked reform agendas.
- Both Libyan and Yemeni state institutions declined, executive and legislative bodies were incapacitated, and criminal justice systems became paralyzed.
- Amid the crumbling of state institutions, powerful revolutionary militias and other armed challengers sidelined or supplanted official security sectors.
- Restructuring national armed forces is necessary in countries in transition, like Libya and Yemen. But reforming and upgrading ministries of interior, the police, and criminal justice systems would address citizens' needs, help revive economic activity, and enhance government legitimacy, facilitating policy reforms in other areas.
- External actors were influential in security sector restructuring, but they pursued conflicting goals and were not invested enough politically or materially to transform local dynamics or alter outcomes.

### Security Sector Reform Lessons From Libya and Yemen

**Inclusiveness and transparency are essential.** Legacies of political factionalism and societal penetration in the security sector make it imperative to include all parties and community representatives willing to engage peacefully in debates about reform policies and priorities. It is also essential to build trust



by making information about security sector governance and decisionmaking processes, senior appointments, and budget allocations fully transparent.

**Processes for reintegrating security sectors should be systematized.**

Establishing common professional standards and performance benchmarks, recruitment and promotion criteria, legal obligations and rights, and wage scales and service conditions is a sine qua non for transforming and merging official and alternative security structures.

**Central and local security provision must be balanced.**

In highly fractured states and societies, centralizing approaches to security sector governance may be counterproductive and should be complemented by developing the role and capabilities of local governments.

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## The Challenge of Security Sector Reform

When popular uprisings erupted in Libya and Yemen in early 2011, the “securocratic” states constructed over several decades by Libyan leader Muammar Qaddafi and Yemeni president Ali Abdullah Saleh proved unable to defend themselves. The breakdown of the official coercive apparatus of the state made security sector restructuring and reform a central task of the transitions in both countries after Qaddafi and Saleh were ousted. But both states failed to achieve this, failures that led Libya into civil war and Yemen into a rebel takeover—followed by external military intervention, portending another civil war—between May 2014 and March 2015.

It was imperative in the wake of the popular uprisings of 2011 to transform the security sector—the various police, paramilitary, and internal security forces and agencies reporting to the Ministry of Interior, the Council of Ministers, or the presidency. They had been the main pillar of authoritarian rule under both Qaddafi and Saleh. Replacing the sector’s regime-maintenance function with an ethos of public service, respect for human rights, and commitment to the rule of law was a prerequisite for full democratic transition. Equally important was achieving transitional justice for the victims of regime violence during the uprisings and the preceding decades of state-led repression. Addressing all of these needs in the context of weak states and divided societies, moreover, required striking a new balance between centralized and decentralized modes of governance about the provision of security and enforcement of law and order.

The popular uprisings in Libya and Yemen generated two unmistakable moments of opportunity to bring about these reforms. The first built on the initial momentum of the uprisings and immediately followed the departures of Qaddafi and Saleh. The second came with the election of a transitional parliament in Libya in July 2012 and the launch of the National Dialogue Conference in Yemen in March 2013, providing interim governments with some claim to political legitimacy and social inclusiveness.

In Libya, a society traumatized by decades of repression, long years of international sanctions, and the 2011 civil war looked for a decisive break with the arbitrariness of Qaddafi-era security practices. This was met by the readiness of the North Atlantic Treaty Organization (NATO) and its regional partners, whose military intervention had played a crucial part in ending Qaddafi’s rule,

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**It was imperative in the wake of the popular uprisings of 2011 to transform the security sector.**

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to assist materially in the complete rebuilding of the collapsed army and security sector.

Similarly, Yemeni civil society mobilized actively around the demand for security sector reform, which was also supported by Saleh's main political rivals, albeit for self-interested reasons. This convergence was reflected in the Gulf Cooperation Council (GCC) initiative, which formally endorsed military restructuring as a key pillar of the peace deal under which Saleh agreed to hand over power in November 2011 and subsequently provided the interim government with budgetary assistance.

And in both countries, the armed forces lacked the political or institutional autonomy to counter or block security sector reform, although their inability to provide a countervailing force encouraged the emergence of nonstate armed

actors who challenged state authority and rivaled the official security sector.

The seemingly virtuous convergence of domestic and external factors allowed restructuring of the security sector to be placed formally on government agendas in Libya and Yemen. But the processes floundered amid wider struggles over reconstituting the central states and renegotiating state-society relations. In theory, the goal was to create civilian law enforcement agencies that valorized professional merit rather than patronage-based recruitment and promotion; impartiality rather than personal, factional, or communal loyalties; and public service rather than repression. But in practice, the result was to accentuate fault lines within already-fragmented security sectors to the breaking point.

In Libya and Yemen, the security sector turned into the central arena for political struggles after 2011, taking both countries to the verge of civil war by mid-2014. Their descent into open, armed conflict since then has closed the window of opportunity generated by the Arab Spring for genuine democratic transition for the foreseeable future and threatens the viability and very existence of the two states.

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## Priorities Not Pursued

The circumstances and trajectory of security sector reform in Libya and Yemen after 2011 differed considerably, but they shared several key characteristics that set them markedly apart from the parallel experiences of Egypt and Tunisia, the two other countries that underwent political transitions following the Arab Spring.\*

On the positive side, Libya and Yemen were distinguished by the formal commitment of their post-uprising transitional authorities to security sector reform from the outset, something that their Egyptian and Tunisian counterparts lacked. Powerful external actors also supported the effort: the United States, the European Union, the United Kingdom, other NATO members, Arab

\* "Missed Opportunity: The Politics of Police Reform in Egypt and Tunisia" was published in March 2015, and a paper on broader lessons for reform in Arab countries will be released later in the year.

countries including Jordan and Qatar, and the GCC collectively. Meanwhile, in both countries, official United Nations (UN) missions sought to identify priorities, coordinate aid and advice, and encourage and monitor progress.

On the negative side, the fragmented Libyan and Yemeni security sectors lost what remained of their institutional cohesion following the departure of the former strongmen who had bound the sectors to their will, in sharp contrast to the increased autonomy that the Egyptian and Tunisian security sectors gained in relation to their post-uprising interim governments. The security sectors had undergone a process of stovepiping—the fragmentation of the sector into parallel networks based on patronage and personal loyalty to commanders, ultimately leading to Qaddafi and Saleh and their inner circles of cronies and close kin. This intensified rather than dissipated in the wake of the uprisings.

Loyalty became rearranged along multiple lines and led to bitterly competing political rivals instead of a single decisionmaker, resulting in a further breakdown of internal command structures. This made it difficult for Qaddafi and Saleh loyalists to mount sectorwide rearguard actions to block reform in Libya and Yemen—as ancien régime loyalists did in Egypt, especially, and in Tunisia. But the loyalists remained concentrated in the armed forces and intelligence agencies, which had formed the critical core of the predecessor regimes and had always been redoubts of regime strength.

Consequently, rebuilding national armed forces was a major priority in Libya and Yemen in order to dismantle loyalist preserves, as was the parallel effort of disarming, demobilizing, and reintegrating rebel groups and revolutionary militias that had sprung up during the uprisings—or earlier in the case of Yemen. But security sector reform—improving the professional capacity and competence of the police and other branches reporting to ministries of interior, as well as ensuring that transitional justice was done—was no less imperative. And because the police forces had occupied inferior positions within the security sectors in both countries before 2011 and were not the object of intense hatred, there was an opportunity to elevate their capabilities and rehabilitate their standing.

Security sector reform meant revising the legislative framework governing the police in Yemen or establishing it in Libya, forming official restructuring teams within ministries of interior (as Yemen did), and launching extensive programs to upgrade professional skills, review pay and service conditions, and introduce clear review processes and complaint mechanisms for security sector personnel. At the same time, these upgrades should have been pursued as part of a package focused on ending the culture of security sector impunity and preventing its reproduction among the armed groups and informal bodies providing security and limited judicial functions after 2011. Last but not least, inclusive discussions over decentralizing aspects of governance of security and law enforcement were critically important in order to contain powerful centrifugal forces released by the crumbling of the Libyan and Yemeni states.

Public commissions comprising senior representatives of ministries of interior, security sector change teams, the judiciary and prosecution service, and representatives of parliamentary parties and civil society could have ensured transparency, which was essential in all these processes.

The inclusion of many of these measures or proposals in the National Dialogue Conference in Yemen shows they could have been pursued. But few were attempted, and virtually none were completed either there or in Libya. External support for Libyan and Yemeni security sector reform moreover proved weak and inconsistent, and the countries providing it repeatedly pursued mutually conflicting objectives.

## Taking Security Sectors to the Breaking Point

The alignment of critical top-down and bottom-up elements initially favored successful security sector reform in Libya and Yemen. But political competition in a context of weakly formed states, fractured societies, and nascent or poorly regulated democratic processes proved especially damaging. As the opportunity for security sector reform receded, the politics revolving around it morphed into a bitter struggle for control over the Libyan and Yemeni security sectors that eventually broke them.

*Ad hoc measures and old rules:* Security sector reform was hobbled by the lack of agreed rules for governing the transitional political order and of effective legal and oversight frameworks. In Libya, which had experienced radical regime change, the General National Congress (GNC) elected in July 2012 had little idea of legislative processes and even less of how to develop a robust legal basis for the security sector. Ad hoc measures therefore became the rule. Yemen's security sector benefited from a more developed legal structure, a professionally designed restructuring effort, and considerable civil society activism.

But the survival and repackaging of much of the old political order meant that the approach to reform was still governed by the old rules, degrading the Yemeni security sector further.

*Accentuating fault lines:* Reform was also shaped by a three-way split within the Libyan and Yemeni security sectors, broadly along generational, regional, and ideological lines, and situated within a wider framework of contestation between ancien régime and

revolutionary camps. This accentuated fault lines within fragmented security sectors organized around informal networks based on patronage and political loyalty, which already mirrored deep social cleavages. As a result, the locus of political struggles over the security sector moved from within interim governments into society at large, diminishing the official sector and enhancing the role of alternative or parallel security providers.

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*Hybrid versus alternative security:* Weak state legacies and intense struggles over reshaping transitional political orders allowed nonstate armed actors to enjoy considerable autonomy in Libya and Yemen. The Libyan interim authorities responded by legitimizing revolutionary militias as state-sponsored, hybrid security structures, while their Yemeni counterparts reproduced the long-standing pattern of ceding considerable social control and policing to alternative security providers. In both countries, hybrid or alternative structures came to parallel or even overshadow the official security sector.

*Baby versus the bathwater:* The struggle between ancien régime and revolutionary camps was especially intense in Libya, making it almost impossible to avoid throwing out the baby of professionally trained and skilled security sector personnel with the bathwater of those guilty of past human rights abuses or corruption and die-hard Qaddafi loyalists. In Yemen, conversely, the war of positions waged by the rival elite factions that continued to dominate formal politics effectively prevented significant change within the security sector (the baby) while preserving virtually all the regime bathwater, leading to a complete system breakdown.

## Libya's Fatally Flawed Security Sector Restructuring

Libya presents an extreme case of the politics of security sector reform. Its attempt at wholesale reconstruction of the security sector went far beyond anything attempted in the other Arab Spring countries, but this ultimately ended in a resounding failure that has left the country with two warring governments, each with its own, dysfunctional security structure.

The significant military role of NATO and foreign governments in bringing down the Qaddafi regime and their contribution, along with the United Nations, to post-uprising reconstruction should have made a crucial difference to the reform of Libya's security sector. But the absence of an international stabilization force on the ground, NATO's reluctance to engage in state building, meager levels of actual material assistance, and an emphasis on counterterrorism—combined with revolutionary fighters' distrust of foreigners—severely limited the potential for a positive impact.

The process was instead shaped primarily by localized power struggles among the Libyans themselves, often at the level of regions and districts, individual towns, and even single clans or families. In the absence of agreed rules about conducting the business of government, the security sector became an arena for astute political players such as the Muslim Brotherhood, revanchist ancien régime officers in what was left of the police and especially the army, and the tumultuous revolutionary militias that sprang into being during the uprising and after Qaddafi's fall to position themselves in Libya's new politics.

Numerous political parties and blocs continued to jockey for position within Libya's interim government and the parliament and cabinet that were formed following the general election of July 2012. These groups included secular opposition activists, some of whom had recently returned from exile; the Muslim Brotherhood and its parliamentary vehicle, the Justice and Construction Party; Salafist Islamists; and the "liberal" National Forces Alliance, which won a landslide victory. All sought an advantage by winning allies in the official security sector or among the revolutionary militias, subverting the restructuring process by turning it into a means for elevating certain regions and communities or marginalizing others and for targeting political rivals. In doing so, they collectively took the nascent political system into the open-ended, armed confrontation that started in May 2014.

### **Qaddafi's Legacy**

This outcome owed much to the baneful legacy of Libya's former ruler Colonel Muammar Qaddafi. He abolished the country's constitution after taking power in 1969, replacing it with a highly personalized and fluid system of bodies and procedures that left real power in his hands and gutted bureaucratic process and government routine.

The weakness of state institutions was mirrored by civil society. A four-decades-long ban on political parties, independent trade and labor unions, and other representative or autonomous civil society bodies accentuated tribal, regional, and ethnic cleavages, and it replicated them inside state agencies, including the security sector. As importantly, it deprived the political and societal actors who emerged in post-2011 Libya of shared experiences of collective action, bargaining, and goal setting.

The implications for the security sector were stark. Qaddafi constructed multiple, informal, parallel security structures and regime-maintenance forces, drawing heavily on tribal and regional affiliations to secure loyalty and emphasizing informal relationships and chains of command. The national police and armed forces were hollowed out long before the 2011 uprising, and left ill-equipped, understaffed, and bloated at the senior ranks.<sup>1</sup>

Rather than reverse these various trends, the removal of Qaddafi as the linchpin of the security system reinforced them.

### **Ad Hoc Solutions to Immediate Problems**

Complete regime change meant that the former dissidents and exiles who formed the country's new ruling authority, the National Transitional Council (NTC), and the legislative assembly that succeeded it in mid-2012 lacked any prior experience of governing the security sector. Inexperience and mutual distrust prevented them from straddling the official and informal security sectors and exercising effective control over them in the manner Qaddafi had done

previously. Consequently, they responded to the challenge of security sector reform with ad hoc measures.

In the immediate aftermath of the Qaddafi regime's downfall, Libya's national police was a shambles, intelligence agencies were in utter disarray, and the Interior and Defense Ministries had "lost their head and had their legs cut out from under them," according to Joseph Walker-Cousins, then stabilization adviser to the United Kingdom's special envoy in Libya.<sup>2</sup>

The NTC acted where it could, purging hundreds of Qaddafi-era police officers and appointing a new head for the External Security Organization, which was renamed the Libyan Intelligence Agency in June 2012 and given an additional internal security function.<sup>3</sup> Similarly, the successor parliament set up its own ad hoc armed protection force in January 2013, after finding that it could not rely on the police for its security.<sup>4</sup>

In parallel, the NTC strove to disarm and disband or otherwise integrate the dozens of revolutionary militias that had sprung up around the country during the conflict and now undertook basic law-and-order tasks. In order to assist their return to civilian life, the NTC issued one-off compensation to anyone claiming to have contributed to the fight against Qaddafi or to have handed in their weapons. In May 2012, it granted the militias immunity for all "military, security, or civilian acts undertaken with the aim of ensuring the revolution's success and its goal," to quote the law the NTC issued.<sup>5</sup>

The NTC also established the Warriors Affairs Commission (renamed the Libyan Program for Reintegration and Development in March 2014), which registered 215,000 fighters between January and July 2012 with the aim of helping them return to civilian life through educational and vocational training schemes or integrate into the police and army forces that were being rebuilt.<sup>6</sup> In fact, at most 25,000 fighters had battled the Qaddafi regime in 2011, but the registration scheme attracted unemployed youth, a key audience that found a meaningful role as well as a source of income in signing up for government jobs. The Warriors Affairs Commission, commonly regarded as under Muslim Brotherhood control, was hobbled by a lack of funding and mistrust among the brigades and became inactive after expending its initial budget.<sup>7</sup>

Ad hoc measures were unavoidable. But they became the norm, and were not superseded by a more systematic approach based on long-term planning, a focus on tangible deliverables, and a sustained consultation with political parties, revolutionary militias, and civil society representatives. Consequently, instead of laying the basis for a new security sector bound by the rule of law, the NTC's approach incentivized a damaging competition between an array of political players—from ancien régime holdouts to revolutionary militia leaders—to turn the new security bodies into power bases. As in the Qaddafi era, an exceptional security architecture continued to displace real institutions.<sup>8</sup>



### **Legislative and Oversight Vacuum**

Hobbled by a bad reputation and the deep distrust of the revolutionaries, the security sector was additionally incapacitated by a lack of clarity over how administrative systems and laws would evolve in post-Qaddafi Libya, given the mix of British and Soviet bureaucratic legacies and the injection of new Islamist ones. The security sector moreover completely lacked an overarching legal framework defining its responsibilities and powers, clarifying its chain of command and accountability, and thereby enabling it to undertake its lawful functions and operate coherently.

As experts working on Libya's security sector Frederic Wehrey and Peter Cole have noted, the impediments to reform included "a lack of competitive police salaries; lingering distrust of the Ministry of Interior; apparent differences over the future of the [Supreme Security Committee's] intelligence, counternarcotics, and prison programs; and the absence of a broader dialogue process." According Wolfram Lacher, another Libya analyst, other obstacles ranged from competition over the distribution of posts and budgets to resentful and uncooperative middle management and disagreement on overall political objectives.<sup>9</sup>

A determined and united government might still have made headway in resolving security sector challenges through carefully crafted policies and laws and patient negotiation with principal political and military actors, but this, too, was lacking. The frequent change of ministers of interior reflected the government's weakness of purpose and debilitating internal disputes: five were appointed in the two and a half years between the first transitional government of November 2011 and the open split of May 2014.

The situation did not improve even after the NTC formally handed power to the new parliament, the GNC, in August 2012, following the country's first genuine general election since the abolition of parliament by Qaddafi in 1969. Like its predecessor, the new body attempted reform. In April 2013, the GNC passed laws criminalizing torture and enforced disappearances, and abolished the jurisdiction of military courts over civilians. Five months later, it reissued the law on transitional justice (originally decreed by the NTC in February 2012), requiring within ninety days of the promulgation of the law the release or referral to the public prosecutor of the thousands of conflict-related detainees still being held across the country without judicial process.

### **Hybrid Security: The Militia-ization of the Libyan State**

The NTC faced a challenge of its own making in dealing with the task of rebuilding the security sector. Its ad hoc measures to disarm and demobilize revolutionary fighters generated an unmanageable problem as massive numbers registered for compensation, rehabilitation assistance, and salaries. The NTC sought to absorb them by setting up hybrid security structures fusing

revolutionary militias with the official security sector, but the latter was swiftly overshadowed, and then largely shunted aside, by the new bodies.

The NTC formed the Supreme Security Committee (SSC) in December 2011 to bring all revolutionary fighters under one umbrella, prior to demobilizing or integrating them into the national police. But although it was supposedly expanded countrywide, the SSC was weak outside of Tripoli; the precise combination of hybrid revolutionary and official security actors varied depending on locale, as did the coordination mechanisms and labels adopted—a “Security Directorate” in Zawiyah or a “Joint Security Chamber” in Benghazi, for example.

The SSC was a sensible response to Libya’s post-uprising realities, but the revolutionaries rejected any oversight or control by the Interior Ministry, to which the SSC was nominally attached. And yet they undertook basic law-and-order tasks. In some areas, according to Frederic Wehrey, these included “narcotics interdiction, guarding schools and hospitals, and even street maintenance,” while in others, local militias “evolved into dangerously parasitic and predatory entities, pursuing agendas that are at once criminal, political and ideological.”<sup>10</sup>

The failure of Libya’s transitional authorities and state institutions to assert meaningful control over the security sector as a whole, let alone plan for it, was evident in the figures pertaining to security sector membership. Initially, the SSC was intended to reach a strength of 25,000 members. But, boosted by its control of superior funds, arms, and equipment, it had 70,000 former revolutionary fighters on its payroll by April 2012. Its ranks increased to 149,000 by August and 162,000 by December, the deadline originally set for disbanding the group, although the Interior Ministry and the SSC claimed that the actual number of personnel reporting for work stood at just over 60,000.<sup>11</sup>

Political infighting severely exacerbated the situation and prevented mid-course corrections. This was demonstrated in early 2013 when the government of Ali Zeidan, who had been appointed prime minister the preceding October, proposed setting up a national guard, a new hybrid security force to absorb former revolutionary fighters and undertake law-and-order duties. Although the United Nations Support Mission in Libya (UNSMIL) adopted the idea as furthering security sector reform, it originated with the Muslim Brotherhood-aligned February 17 Revolutionary Martyrs’ Brigade and militias affiliated to the Libyan Islamic Fighting Group headed by Khalid al-Sharif, whose militia in 2011 was called the “national guard.”<sup>12</sup> Faced with bitter opposition from the National Forces Alliance wing in the GNC, which viewed the national guard as a potential Islamist power base similar to the former Qaddafi regime maintenance forces, the project was abandoned in early July.

Leading officials further reinforced the dysfunctional dynamics of the security sector by allying with some militias as a means of strengthening their positions within government. For example, Nuri Ali Abu Sahmain, who became GNC president in June 2013, set up the Libya Revolutionaries’ Operations

Room a few months later as a short-lived umbrella structure for mainly Islamist militias to undertake policing in Tripoli.

Similarly, local revolutionary militias in eastern Libya established the Preventive Security Apparatus as a counterintelligence body to hunt down Qaddafi loyalists in late 2011. Enjoying *de facto* official status despite having no legal basis, it came under the Ministry of Defense, further confusing lines of command within the security sector. The reverse happened when some SSC units rejected government orders to disband in May 2013, and they were instead turned into a Rapid Intervention Force under the nominal control of the Interior Ministry.

The government moreover contracted local militias to undertake security tasks official agencies could no longer perform. When the Petroleum Facilities Guard proved unable to protect oil fields and facilities in southwest Libya, for example, local militias were contracted to do the job. This prompted complaints from international oil companies that they were “being held to ransom by these militias—it is a protection racket in all but name,” as one analyst put it.<sup>13</sup> Similarly, the Joint Security Chamber, set up by the government to coordinate official security agencies in Benghazi in summer 2013, in practice deferred actual policing to militias, including the jihadist Ansar al-Sharia.<sup>14</sup>

All told, these instances reflected a pattern of revolutionary fighters collectively joining or taking over official security agencies, replicating their militia command structures and personal relationships as they did so, and in many cases earning two salaries. Their power was highlighted when the Interior Ministry threatened to suspend the salaries of former militiamen who refused to integrate into the official police in December 2012, only to retreat in the face of violent protests. In October 2013, police (and army) salaries were raised above the levels for state-funded militias in order to make them more attractive, but a second government attempt to terminate militia salaries in January 2014 was again retracted after further violent protests.

### **Throwing Out Both the Baby and the Bathwater**

The hostility of the armed revolutionary groups that wielded decisive clout toward residual *ancien régime* elements within the state bureaucracy and security sector caused significant problems. The revolutionaries demanded all state officials who had any past association with the Qaddafi regime be excluded from the security sector. This resulted in the security sector baby being thrown out with the old regime bathwater, and was a sacrifice of professional know-how and those with the ability to help craft long-term visions and undertake planning and capacity building, for which the post-uprising revolutionary structures failed to provide a viable alternative. And once parallel structures dominated by the new revolutionary camp were in place, security sector reform became even harder.

Reviving and upgrading law enforcement proved impossible under these conditions. The regular police had largely melted away by the end of 2011, but the bulk of international efforts focused on training new gendarmerie forces to be entrusted with public order and protection functions and attached to the Ministry of Defense. There was little comparable investment in the police or internal security agencies, among which absenteeism still stood at 20–40 percent one year into the transition.<sup>15</sup> The SSC had cannibalized the police, in effect: one commander claimed that 32,000 out of 88,000 Qaddafi-era officers had joined the SSC, accounting for the bulk of its operational manpower.<sup>16</sup> Conversely, many of the former revolutionary fighters who underwent training for integration into the police—20,000–26,000 by February 2014 according to two authoritative sources<sup>17</sup>—found its institutional culture alien and left.

In sharp contrast, rehabilitation and integration into the police was more successful in regions and towns that had suffered less displacement during the 2011 conflict, and especially where the Qaddafi regime had previously had deep social roots and Qaddafi-era personnel still held on to their jobs and positions. The residual presence of ancien régime officers posed a severe challenge across the board, in fact. Speaking in April 2012, then deputy interior minister Omar al-Khadrawi had highlighted the “need to supplement and replace the police with fresh blood from the revolutionaries,” but in reality, Qaddafi-era personnel still permeated the rump security sector, especially in senior ranks.<sup>18</sup> This fed the perception in the revolutionary camp that the NTC, and then the GNC, preferred to employ ancien régime elements and intended to deny the revolutionaries employment opportunities in the security sector.

The result was to sustain the anti-old-regime push, culminating in the passage of a “political isolation law” in May 2013 that prevented former regime officials from holding public office for ten years. Among those banned from office as a result were veteran politicians such as National Forces Alliance head Mahmoud Jibril, who represented a rallying figure for those who neither belonged to the revolutionary camp nor endorsed the new power brokers who emerged from its ranks.

Unlike the de-Baathification law in Iraq, Libya’s lustration law did not dismiss all former security sector personnel, but UNSMIL head Tarek Mitri argued bluntly that “many of the criteria for exclusion are arbitrary, far-reaching, at times vague, and are likely to violate the civil and political rights of large numbers of individuals.”<sup>19</sup> Other experts argued that the law’s sweeping nature “threatens Libya’s post-war reconstruction . . . shatters the country’s social cohesion, [and] wipes out the state’s institutional memory.”<sup>20</sup>

Among those also affected were former police commanders Ashour Shuwail and Mohamed al-Sheikh, who succeeded each other in the post of interior minister between October 2012 and August 2013. At the start of his appointment in mid-2013, al-Sheikh outlined his vision for rebuilding the security sector: keeping existing institutions to avoid a security vacuum, revitalizing them

with a new nationalist security doctrine not based on regional or personal ties, and not resorting to nonprofessional bodies.<sup>21</sup> Such an approach was bound to deepen suspicions of the revolutionary camp. Citing interference by the GNC and government, al-Sheikh resigned after only three months in the post.

### **Breakdown**

By 2014, Libya's transition was approaching the breaking point. On one side, the revolutionary militias precipitated a political crisis with the GNC when it extended its mandate in February, forcing the congress to retract and offer a new general election by June. Bending to the increasingly polarized atmosphere, the GNC made it an offense to insult the February 17 Revolution of 2011 or broadcast hostile views of it on television.<sup>22</sup> On the other side, career officers in the police and armed forces were alarmed by what they saw as the consolidation of Islamist influence within the security sector, fearing they would be driven out completely.

The Muslim Brotherhood, which had gained footholds in the Interior Ministry, SSC, and Warriors Affairs Commission as early as 2011, was suspected of benefiting from the assassinations of former officers, infiltrating the security sector further by putting its own members and supporters in their place.<sup>23</sup> Whether this was a conscious policy or not, the combined influence of the Brotherhood and the more extremist Libyan Islamic Fighting Group within the security sector was considerable.

In May 2014, forces loyal to an army commander, General Khalifa Hifter, a former opponent of Qaddafi who had spent two decades in exile, launched an offensive against Islamist militias in Benghazi and then led what amounted to a quasi-coup against the GNC in alliance with revolutionary militias from Tripoli and Zintan in western Libya. Hifter portrayed his move as an attempt to eliminate terrorism, restore security in Benghazi, end the assassinations of career officers, and break Islamist domination of the GNC. But in private he also complained of the old officer class's loss of privileges and pay, noting the marked differences in salaries between the regular police and army and the Islamist militias and hybrid security bodies funded by the GNC.

With the alignment of the National Forces Alliance behind Hifter, and the countermobilization of Islamist militias, the jihadist Ansar al-Sharia, and later the Misratan militias against him, the stage was set for civil war. The endemic legacy of weak executive oversight and legislative frameworks, the corresponding rise of powerful nonstate armed actors, and the deeply entrenched divisions within the new political arena had called the very viability of Libya as a nation-state into question.

## Yemen's Security Sector: Change Without Reform

Once transition started in Yemen in 2011, it became the only Arab Spring country to adopt a formal security sector reform process focusing on existing institutions. This was made a key pillar in the accord brokered by the Gulf Cooperation Council, under which Ali Abdullah Saleh relinquished the presidency that November.

Unlike Libya, where grassroots pressures, factional dynamics, and external agendas worked at cross-purposes more often than not, in Yemen there was initially a virtuous convergence. Security sector reform was a central demand of the youth activists and civil society movements that had spearheaded the uprising. Adoption of military restructuring in the GCC accord and its subsequent inclusion on the agenda of the National Dialogue Conference launched in early 2013, moreover, reflected the critical influence of rival elite actors who saw an opportunity to decisively weaken Saleh's remaining grip on power. These domestic forces and their struggles had a far greater impact on the course of security sector reform than did external actors, who lacked coherent policies and invested insufficient resources to acquire effective leverage.

Yemen's legacy of party politics and parliamentary life since 1990 imparted a powerful boost to the national dialogue and mitigated the tendency to polarization and violence after 2011. But this sentiment dissipated as the elite factions that had dominated politics under Saleh sought to replicate their former power under the cover of the GCC initiative. Despite the auspicious start, basic law and order deteriorated further, especially in the capital and main cities. As in Libya, the result was the emergence of increasingly potent antisystem challengers, including al-Qaeda in the Arabian Peninsula (AQAP), the grassroots Southern Movement (*hirak*) demanding autonomy or secession for the south, and the Zaidi rebel movement Ansar Allah, commonly known as the Houthis, in the northern province of Saada—not to mention Saleh himself, who sought to preserve his influence and reverse the transition.

Against this backdrop, both the transitional process and security sector reform had stalled by mid-2014. Too much of the old regime had survived to allow fundamental change in how national politics, or the security sector, functioned. Starting in October, the country descended into conflict, and by March 2015 it was in a civil war.

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**Yemen's legacy of party politics and parliamentary life since 1990 imparted a powerful boost to the national dialogue and mitigated the tendency to polarization and violence after 2011. But this sentiment dissipated.**

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### Saleh's Living Legacy in the Security Sector

Yemen's security sector was highly dysfunctional at the start of the 2011 uprising. Bloated, riven by personal and factional loyalties, and riddled with corruption, many of its agencies also lacked training, core competencies, and essential equipment, leaving them fundamentally unable to perform law enforcement functions. Even elite units were proving unable—or unwilling—to tackle the mounting challenges of al-Qaeda terrorism (especially in the governorate of Hadramawt), Houthi insurgency in the north, and tribal and regional unrest in the east and south of the country.

At the same time, although Yemen boasted a multiparty system and a functioning parliament, the latter lacked effective political or financial oversight over the security sector. In February 1994, the main political parties signed a Document of Pledge and Accord, agreeing to a basis for security sector reform within a rule of law framework, but this was not implemented.<sup>24</sup>

On the contrary, Saleh steadily deepened his control of the police, internal security and intelligence agencies, and armed forces. Starting in 2000, he appointed his son Ahmed Saleh, nephew Yahya Saleh, and other close relatives and kinsmen of his Sanhan clan to command select agencies and units, which were then privileged with better pay, training, and equipment.

As a result, two main trends in the security sector emerged over the decade prior to Saleh's ouster: recruitment, appointments, and promotions were overwhelmingly based on tribal, regional, and family loyalties; and a bifurcation developed between favored, elite units with direct access to the president and his family and the bulk of the sector's poorly paid, poorly trained, and poorly led personnel. Security sector employment acted as a patronage and social welfare scheme, albeit with differential access and perks, and it bought political loyalty for the regime as a whole.

### Attempted Reform and Competing Pressures

Saleh was succeeded by his vice president Abd Rabbu Mansour Hadi, a former army general, who was voted into office in a single-candidate election in February 2012 after serving as acting president. The first fourteen months of Hadi's presidency demonstrated some commitment to security sector reform, and he enjoyed popular support for change. But critics accused him of using restructuring to entrench his own power. There may be some truth to those accusations; he certainly lacked the appetite to define the roles and responsibilities of the Ministries of Defense and of Interior.

Whatever the truth of the charges against him, Hadi was never in a position to give full political support to the reform process in the face of many vested interests. Commanders blocked payroll reform; the intelligence sector resisted restructuring; and elite rivalries both defused momentum for security sector reform and revived the war of positions for influence within the Ministry of Interior.

Soon after assuming his duties as acting president, Hadi formed a Committee for Military Affairs and Achieving Security and Stability in compliance with the GCC agreement. The deal required restructuring the armed forces but did not mention the Ministry of Interior or its subordinate branches and agencies. So when Hadi purged 20 relatives or close associates of Saleh in April 2012, for example, most were senior commanders of military units or paramilitary and security agencies that reported to the Ministry of Defense or directly to the president, rather than to the Ministry of Interior.

The pace of security sector reform was considerably slower. A week after assuming the presidency, Hadi appointed veteran police general Abdul Qader Qahtan, who had been nominated by the Islamist opposition party Islah, as minister of interior. In May, the transitional government proposed to the Friends of Yemen, an international political support group, that the Ministry of Interior should also be reorganized and restructured and that it should carry out “necessary reforms . . . in due time to bridge the gap between police and society.”<sup>25</sup> By July, Qahtan had established an official restructuring team within the Interior Ministry, headed by another Islah member, Riyad al-Qirshi, and the European Union, which was assigned to lead the international support effort, had set up a technical assistance mission to support the ministry in parallel.

Gradual as they were, these measures prompted strong responses from Saleh loyalists. Parliamentary efforts to draft a transitional justice law had already been impeded by ministers of the former ruling party, the General People’s Congress, who insisted on limiting its remit to abuses committed by security forces during the 2011 uprising, rather than human rights violations extending back to 1991 as the opposition sought.<sup>26</sup> After the Interior Ministry commenced removing a handful of officers loyal to Saleh in late July 2012, it was assaulted by tribesmen claiming that the former president had promised them jobs, and several policemen were killed or injured when loyalists in the Central Security Forces attacked the ministry again a few days later.

Grassroots activists kept up their counterpressure meanwhile. Following the attacks on the Interior Ministry, tens of thousands of demonstrators in Sanaa demanded the dismissal of Saleh’s relatives from command of security agencies on August 3. And when Hadi replaced Saleh’s nephew Yahya as chief of staff of the Central Security Forces on December 19, hundreds of thousands rallied around the country in support.<sup>27</sup> External pressure was also mounting to meet the timelines established in the GCC agreement.

Hadi responded by pressing the Ministries of Defense and Interior hard to show “visible restructuring” before the start of the comprehensive National Dialogue Conference that was scheduled to start in March 2013. The “First Scientific Seminar on Police Apparatus Reform and Restructuring” was held in December, and a follow-up committee was formed to implement its recommendations. And in January 2013, a Jordanian advisory mission arrived in Sanaa at Hadi’s request to assist the Interior Ministry with restructuring.<sup>28</sup>



The outcome of these efforts was the Decree on Organizational Structure of the Ministry of Interior that Hadi issued in February. This made reorganizing and restructuring the Ministry of Interior a formal policy objective and identified neutrality, professionalism, and the end of nepotism as well as “tribe, clan, sectarian, racial, [and] partisan” loyalties in the security sector as key values.<sup>29</sup> But although the decree also called for new regulations and governing laws of establishment for the security sector and its individual branches to be put into place, the necessary legislative and administrative processes were not initiated—and have not been as of mid-2015.

There was also the problem of phantom forces. In April 2013, Minister of Industry and Trade Saad al-Deen Bin Taleb estimated that half of public sector employees were “ghosts,” based on data from the security and military payrolls.<sup>30</sup> And in November, Hatim Abu Hatim, head of a subcommittee on military reforms under the Military and Security Working Group of the National Dialogue Conference, claimed that his committee had found that only 100,000 of about 500,000 registered security and military personnel were operational.<sup>31</sup> Yemeni authorities were in fact unsure of the numbers. The Ministry of Interior allegedly had 180,000 personnel, but its restructuring team estimated that for every policeman on a beat, there were another three in barracks, inflating unit payrolls that were used to divert allocated resources.<sup>32</sup>

The Ministry of Interior took steps to curtail the common practice of commanders collecting cash payments on behalf of phantom recruits or of personnel who moonlighted in second jobs. It decreed that personnel would receive their salaries through direct bank transfers or at post offices around the country. This was long overdue: Western donor governments had demanded reform of the government payroll for years, but the Ministry of Civil Service and Insurance halted an International Monetary Fund–backed program in 2010.<sup>33</sup> Yet security commanders continued to resist payroll reform after 2011: biometric registration for all military personnel offered a new means of preventing abuse, but the plan was not formally adopted until August 2014, shortly before the Houthi takeover in Sanaa made security sector restructuring moot.<sup>34</sup>

Hadi gave a boost to the reform process in June 2013 by issuing 24 presidential decrees aimed at restructuring the Ministry of Interior and making key appointments. The newly created post of inspector general of the security forces was filled, and directors were appointed to head the office’s four new departments for monitoring and inspection, combating corruption and police violations, human rights, and “comprehensive quality.”<sup>35</sup> But as a senior Western adviser to the ministry warned, the revised structure with its new departments and appointments remained “a paper exercise” in the absence of a strategic implementation plan and, no less importantly, “proper discussion on the function of the Ministry of Interior and indeed of the Ministry of Defense and their respective responsibilities.”<sup>36</sup>

The security sector still needed a formal legal framework, anchored in a national political settlement. The Military and Security Working Group of the National Dialogue Conference took a step toward this goal in its draft report in October 2013, which proposed measures to build professional and impartial security and intelligence services and armed forces, encourage women to join them, improve living standards for personnel, and provide better care for those killed or injured in the line of duty and for their families. However, the committee had not been provided proper data or technical support, and so its report fell short of constituting a national strategy. Worse, it focused on the armed forces and failed to address the “civilian” security sector or the glaring gap in the provision of law and order in much of the country.

### Alternative Security

The state was left with a weak security sector and unable to provide for the needs of the people. In many cases, nonstate security provision was more effective than the official agencies, or it was the only form present at all. Nonstate providers included tribes and other community-based bodies that at times intersected with official agencies or, more commonly, with the interests and agendas of national power brokers.

Security sector restructuring went no further than the government’s writ, which was generally limited to the capital—though not always that—and a few other cities. Analysts Erica Gaston and Nadwa Al-Dawsari found that outside of Sanaa, few or no structural changes were made, and when local commanders were removed, their replacements were selected on the basis of “party affiliation, largely according to the power-sharing split, rather than on merit.”<sup>37</sup>

Respondents to a survey published by the Yemen Polling Center in January 2013 moreover suggested that 24 percent of urban areas and a staggering 89 percent of rural areas overall did not have a local police station; seven out of 21 governorates had none, and only the cities of Sanaa and Aden had over 50 percent coverage.<sup>38</sup> According to one activist, the problem was “not that the police were oppressive, but that there were no police. The problem is not lack of trust, but zero social contract.”<sup>39</sup>

Saleh had already “outsourced” security in significant parts of the country to local tribes long before 2011, intervening directly only when regime interests were at stake.<sup>40</sup> Tribal federations receiving state funding, such as the Bakil, Hashid, and Madhaj, used it in part to run their own justice systems and prisons; large numbers of tribesmen were also put on the security or military payroll as a dual jobs program and protection racket.<sup>41</sup> Some tribal sheikhs and certain official agencies, like the coast guard, turned security provision to their commercial advantage, selling protection to oil companies operating in their areas. Tacit collusion turned into complicity in the smuggling of weapons,

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**Security sector restructuring went no further than the government’s writ.**

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drugs, and petroleum products and derivatives with the support of well-placed officers and officials.<sup>42</sup>

But tribal authority extended neither to all parts of the country nor to even a majority of the population. Indeed, like most Yemenis, the tribes also suffered from the state's failure to provide basic security. One tribal leader complained, "Tribes are tired of fighting and doing the state's job of security. They find themselves in a vicious arms race with each other, and all that comes at the expense of their children's food and education."<sup>43</sup>

Increasingly, varying kinds of so-called popular committees assumed limited security and law enforcement functions in some parts of Yemen. This was most notable in the south, where the void left by the government security sector's paralysis was filled by local militias that had previously fought alongside the army against AQAP. Some prominent popular committee commanders had in fact been AQAP members or convicted criminals who then manned checkpoints and undertook basic security tasks, while others were armed volunteers to whom the local authorities and Ministry of Defense had devolved the fight against AQAP.

Local communities reportedly viewed the committees with mixed feelings. On the one hand, they were "not accountable to anyone, they are judge, jury, and implementer," as one analyst put it.<sup>44</sup> And despite drawing on tribal codes and customary arbitration, they did not come under the authority of any particular tribe, leaving them to act unchecked.<sup>45</sup> But on the other, the committees filled a gap in the absence of local government authority. Indeed, such was the void that even the AQAP-affiliated Ansar al-Sharia's brand of social justice was seen as responding to people's needs.<sup>46</sup>

Civil society organizations favored the development of community policing, but this differed from what the popular committees offered. Instead, activists envisaged reviving local cooperatives and elected district councils to decide how to address specific security challenges or criminal acts in the absence of the regular police or courts. These bodies would be supported by informal, albeit representative committees comprising judges, religious ulema, and other impartial figures.<sup>47</sup> But this was only attempted, partially, in the city of Taiz at the initiative of activists working with the nongovernmental organization Saferworld; elsewhere, local government officials complained that popular committees interfered in the implementation of the idea.

Powerful political actors were increasingly involved in the spread of popular committees over the course of 2013. Saleh supporters among local army commanders were believed to sponsor some of these groups, but Hadi's role was more significant. His office reportedly endorsed integrating the committees into the reconstituted armed forces after receiving suitable training, with the implicit agenda of using them to balance north-south relations within the army.<sup>48</sup>

More immediately, Hadi used the popular committees as a cover for the formation of tribal militias to confront the looming challenges from other

nonstate actors. In mid-August 2013, he authorized the formation of a tribal force to oppose the Houthis in the governorate of al-Jawf and later sent a similar force under the guise of popular committees to secure Aden against attack from either AQAP or the Houthis.<sup>49</sup>

The Houthis similarly instrumentalized the format by setting up their own popular committees. After the Houthis seized the capital in September 2014, they used the committees to help secure Sanaa. These supposed volunteers acted as a neighborhood watch, undertaking basic policing and backed by arbitration committees, but their rivals accused them of suppressing dissent.<sup>50</sup> Joining the new popular committees were large numbers of Saleh supporters in the General People's Congress and the Republican Guard, which had been under his son Ahmed's command.<sup>51</sup> Their involvement not only revealed an opportunistic alliance between the Houthis and Saleh but also reflected frustration among security sector personnel with Hadi and a sense among the wider public of "excitement that [the Houthis] would at the very least bring some stability and security to the city," according to one analyst.<sup>52</sup>

The political instrumentalization of popular committees may recede once a political settlement to end Yemen's ongoing armed conflict is reached. But security sector reform cannot be resumed without accommodating alternative forms of dispute resolution and developing sustainable models of community policing, turning them into a complementary means of law enforcement rather than a substitute for security provision.

### **Entrenched Interests Lead to Breakdown**

The struggle between elite factions for influence within the security sector resulted in their collective defeat. Although they fiercely contested senior appointments after 2011, selections continued to be made on the basis of personal or political loyalties and came from one broad pool of candidates. At the same time, elite rivalries undermined any meaningful chain of command within the security sector, further incapacitating it. And by whittling away at Saleh's power base in order to build his own after 2011, Hadi paralyzed more capable bodies and units such as the Central Security Forces (renamed the Special Security Forces in 2013) and the Republican Guard. This further weakened the Yemeni state's ability to withstand opponents such as AQAP and the Houthis.

Other contenders also contributed to this outcome. The Islah Party, in particular, used the transition to entrench itself throughout the state apparatus. Its detractors accused it of recruiting thousands of members and supporters in various government bodies, including the Ministries of Interior and Defense and in local governance.<sup>53</sup> It denied this charge vigorously, but it indisputably already had a foothold: party head Mohamed al-Yadoumi had served in the Political

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**The struggle between elite factions for influence within the security sector resulted in their collective defeat.**

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Security Organization in the 1980s, and Islah capitalized on its support for Saleh during the 1994 civil war to increase its influence.<sup>54</sup> After 2011, it consolidated its position in the organization in order to use it as a counter to the rival National Security Bureau and to reinforce the party around the country.

As alliances shifted, Islah's effort to extend its influence into additional provinces through security appointments was resisted by Saleh loyalists in the General People's Congress and local governments.<sup>55</sup> It also faced resistance from Salafist and jihadist Islamists who had previously been allowed by Saleh to enter the state apparatus, including security agencies, as a reward for their support against southern secession in 1994.<sup>56</sup> In some instances, former jihadists who had attended the government's deradicalization program after 2001 were also absorbed into the military and security services.<sup>57</sup> Salafist influence increased after 2011.

Increasingly, these behind-the-scenes struggles manifested themselves violently. Over 100 officers were assassinated in the two years up to October 2013.<sup>58</sup> Then prime minister Mohammed Salem Basindwa survived an assassination attempt, as did Yassin Said Numan, vice president of the National Dialogue Conference and secretary-general of the opposition Yemeni Socialist Party. AQAP was responsible for a large number of these attacks—and for bombings that killed hundreds of soldiers and policemen—but the rival factions of Saleh and General Ali Mohsen al-Ahmar also accused each other of some and may have been implicated in others given their own past connections with AQAP.<sup>59</sup> In all cases, Islah sought to replace the murdered officers with its members and supporters, as its Muslim Brotherhood counterpart did in Libya in the same period.

Security sector reform was on its last legs. In February 2014, a group of security officers announced their support for a “revolution against corruption,” and accused the Interior Ministry of failing to provide security under Qahtan, calling him a “mark of shame.”<sup>60</sup> Hadi appeared to share their criticism, or saw this as an opportunity to weaken his political rivals in the Islah Party, with whom Qahtan was affiliated. On March 8, Hadi replaced Qahtan as minister with Major General Hussein Abdo al-Tarab, who immediately announced a review of the police force to identify its shortcomings, a campaign against corruption within the security sector, and the opening of senior ministry posts to competitive recruitment.<sup>61</sup>

Any prospect of delivering on these promises was aborted when the Houthis went on the offensive in April. They swiftly expanded their zone of control, benefiting from the complicity of army units still under Saleh's thumb, to advance from Saada in the north to Sanaa, which they took over in September 2014. The resumption of their advance in October and assault on forces loyal to Hadi in Aden eventually triggered a Saudi-led military intervention at the end of March 2015.

Whatever the final outcome of the armed conflict, the Houthis have broken the grip of the incumbent elite factions on Yemen's politics, upended its

governing order, and ushered in a fundamentally new phase in the country's evolution. But rebuilding the security sector and reintegrating the country's plethora of armed actors will pose an even greater challenge than it did in 2011–2014, continuing to destabilize the political order and threaten the cohesion of the Yemeni state.

## Subverting Transitional Justice

The breakdown of political processes in Libya and Yemen reflected the failure to achieve meaningful transitional justice in either country. There were hopeful starts in both, but the task was impeded by the parlous state of their justice systems. This removed constraints on the political-military actors that vied for power and eroded the confidence of citizens in the ability or will of their interim governments to deliver basic law and order, let alone provide redress for past wrongs.

Libya's interim authority, the National Transitional Council, quickly passed law number 17 of 2012 on "Laying a Foundation for National Reconciliation and Transitional Justice" in February of that year; it envisaged a Fact-Finding and Reconciliation Commission to investigate abuses throughout the Qaddafi era. The process gained a boost with the appointment in November of lawyer and human rights activist Salah al-Marghani as justice minister, a position he held until August 2014.

However, the commission was not formed, even though the NTC's successor, the elected General National Congress, renewed the commitment to do so with transitional justice law number 29 of 2013. And although up to 8,000 former regime officials and officers were in detention at any given time from 2011 onward, official data submitted to the United Nations Support Mission in Libya revealed that only 10 percent of detainees had been tried as of October 2014, suggesting the limited ability of the transitional government to undertake a systematic review of the security sector's past behavior and personnel.<sup>62</sup>

The GNC took steps that in effect awarded impunity to the hybrid and parallel security structures that emerged after 2011. Its new law replicated the immunity from prosecution previously granted by the NTC for "military, security, or civil actions dictated by the February 17 Revolution that were performed by revolutionaries with the goal of promoting or protecting the revolution."<sup>63</sup> Transitional justice was replaced by "victor's justice," as a network of Libyan international lawyers committed to promoting the issue and tackling security sector impunity dubbed it.<sup>64</sup> Coupled with the political isolation law of May 2013, which took the process of lustration and criminal prosecution of large numbers of civil servants and officers associated with the Qaddafi era to considerably greater lengths than in any other Arab Spring country, this generated a powerful backlash and eventually led to civil war.

Conversely, transitional justice in Yemen was shaped by the immunity granted under the GCC initiative to former president Saleh and all civil servants and army or security officers acting on his orders, and endorsed in the amnesty law passed by the incumbent parliament in January 2012. This set the stage for the former ruling party, the General People’s Congress, and the main opposition party, Islah, to resist proposals to encompass abuses committed before 2011 in a draft transitional justice law. Extension of the scope of the law was a key demand of social and political groups that had suffered past human rights violations and that increasingly challenged the post-2011 transitional order, including the Southern Movement, Houthis, youth, and women.<sup>65</sup> The United Nations Security Council urged Yemen “to pass legislation on transitional justice to support national reconciliation without further delay” in June 2012, but repeated delays meant that by the time the government was due to consider a new draft of the “Law on Transitional Justice and National Reconciliation” in late May 2014, it was paralyzed by the deepening political crisis.<sup>66</sup>

Some positive steps were made, nonetheless. The president of the Yemeni Observatory for Human Rights and co-author of a comprehensive assessment of Yemen’s security sector, Mohamed al-Mikhlaifi, was made minister of legal affairs in the interim government, a position he retained until his resignation in January 2015. Starting in mid-2012, his ministry worked with civil society organizations and the United Nations Development Program to create a transitional justice approach based on “a victim-centered perspective” and “lasting, open and inclusive societal dialogue about the past,” among other standards.<sup>67</sup>

As importantly, the National Dialogue Conference, which notably included representatives of youth and women as well as civil society activists, reached agreement in January 2014 on recommendations for transitional justice to include in a new constitution and how the government should implement them.<sup>68</sup> However,

Saleh’s continuing role as a powerful spoiler and the reproduction of pre-2011 elite rivalry for control of the army and security sector blocked implementation of the conference’s recommendations on any issue and ultimately created the conditions for the Houthis to challenge the entire system.

In Libya and Yemen, the adverse impact of the failure to pursue transitional justice was compounded by the collapse of already-weak criminal justice systems.

On the one hand, many Libyans felt “little trust towards the judges who are still considered to be Qadhafi’s judges,” according to al-Marghani.<sup>69</sup> On the other hand, the interim authorities and the poorly trained and equipped judicial police were powerless to protect the judiciary in large parts of the country, especially in the east and south, as the rise of assassinations and death threats from mid-2013 onward drove judges and prosecutors into hiding domestically

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**In Libya and Yemen, the adverse impact of the failure to pursue transitional justice was compounded by the collapse of already-weak criminal justice systems.**

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or overseas. Much the same was true in Yemen, where a U.S. Institute of Peace report in late 2014 noted that “justice institutions have struggled to provide services at even the modest levels that existed in 2010” due to the erosion of “state control and weakened rule of law in all areas.”<sup>70</sup>

In both countries, as a result, parallel and informal justice was provided by armed groups, tribal arbitration, or other forms of community-based dispute resolution.

## External and Societal Penetration

Libya and Yemen seem to have taken security sector restructuring both too far and not far enough. The interim authorities’ and transitional governments’ lack of institutional capacity and reform know-how to undertake the task was a significant hurdle, as was the patchy adherence by significant political actors to common procedures and norms, fragile legitimacy of governing bodies, and at best tentative commitment to democratization as a core goal for many in the ancien régime and revolutionary or opposition camps.<sup>71</sup>

The extensive involvement of major international and regional powers in the process also complicated security sector reform and restructuring in the Libyan and Yemeni transitions. Although this offered important benefits, it was driven by agendas that often worked against security sector reform priorities and best practices. These external priorities skewed the pace and direction of security sector restructuring.

A principal concern for the European Union in Libya, for example, was to improve local capacity to police land and naval borders in order to staunch the flow of illegal migrants across the Mediterranean Sea. Improving border controls and monitoring had also been a U.S. aim in Yemen a decade before the 2011 uprising. This focus prompted investment in upgrading operational capacity of the coast guard and the counterterrorism unit within the Central Security Forces, which was legitimate and necessary. But this undertaking was accompanied by pressure to shift these agencies from the Ministry of Interior to the Ministry of Defense despite the continuing lack of clarity over the respective roles and responsibilities of both ministries.

Similarly, the NATO members involved in restructuring the security sector in Libya viewed reducing the number of weapons in circulation and disarming revolutionary militias as a priority. They proposed to build new government-sanctioned forces even when political processes, administrative programs, and financial resources to address the grievances and needs that drove the country-wide proliferation of nonstate groups were not yet in place.

In Yemen, the United States offered material assistance to help restructure the armed forces as mandated in the GCC initiative, even though the manner in which it independently pursued its counterterrorism effort against AQAP signaled a lack of confidence in the Yemeni military and security sectors,



polarized public opinion, and undermined the legitimacy of interim authorities. The counterterrorism agenda also prompted Western insistence on vetting Libyan revolutionaries before including them in new security structures.

These external priorities tended to work counter to the need for extensive consultation, acceptance, and inclusiveness among domestic societal and political interest groups—and security sector personnel—in reform programs. But this became virtually impossible as the Libyan and Yemeni transitions went into crisis in 2014, and as rivalries between regional powers—Saudi Arabia,

the United Arab Emirates, and Egypt versus Qatar in Libya and Yemen, and those same countries versus Iran in Yemen—came to exert an additional negative influence. Framing local struggles and the external military interventions meant to stop them within a counterterrorism perspective ensures that security sector reform can no longer be pursued before resolution of armed contests in both countries.

External impacts fed into, and exacerbated, the second factor complicating security sector reform in Libya and Yemen: the marked interpenetration

between domestic social groups and rival branches or agencies of the security sector. This was one of the worst legacies of the Qaddafi and Saleh eras, in which recruitment and promotion policies were designed to reward loyal tribal sheikhs or provincial power brokers, punish disloyal ones, and occasionally function as a poorly paid jobs program. Former authoritarian leaders additionally co-opted commanding officers and senior officials by allowing them to derive significant illicit incomes from corrupt practices within bloated and poorly monitored security sectors.

Dismantling the extensive, symbiotic relationship between authoritarian power structures and societal interests in general was never going to be easy, still less so within the security sector. The course of reform attempts in Libya and Yemen showed this to be a Sisyphean endeavor, if not worse, indeed, as every step forward prompted countermoves leading to ever more destructive effects.

To meet the challenge, interim authorities needed to engage in frank discussions about the needs of security sector reform and its necessary costs and compromises with the widest range of coalition partners, parliamentary parties, civil society actors, nonstate armed groups, and supporters of reform within the sector. But with the exception of a few attempts at such dialogue in Yemen, this largely did not happen, despite placing restructuring—rather than reform in the deeper sense—officially on government agendas and engaging extensively with external partners about it.

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**Framing local struggles and the external military interventions meant to stop them within a counterterrorism perspective ensures that security sector reform can no longer be pursued before resolution of armed contests in both countries.**

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## Political Lessons

The Libyan and Yemeni security sectors suffered heavily at the outset of the post-2011 transitions from being riven by factional and personal loyalties, riddled with corruption, and beholden to competing societal interests. Building their morale, cohesion, and professional character required enhancing their autonomy, balanced by establishing effective political, legal, and financial oversight within a framework of democratic governance. But transforming the coercive apparatus in the context of weak states and divided societies posed particularly complex challenges.

In particular, the striving of disparate social and political actors to renegotiate their standing in relation to the state and to each other after 2011 required striking new balances between centralized and decentralized modes of governance over the provision of security and enforcement of law and order. This revealed a marked tension: the most powerful actors involved in restructuring the security sector, including international interlocutors, acted in ways that privileged centralizing approaches—whether by design or by default—whereas a genuine reform agenda pointed to the need in Libya and Yemen for a considerable decentralization of power and authority from capitals to other regions of the two countries. An alternative approach could have balanced devolution of administration; development plans; budgets; or security, law enforcement, and the associated provision of justice while applying a shared national framework of operational procedures, recruitment and training standards, performance benchmarks and promotion criteria, and administrative and financial regulations.

Control over security sectors became a crucial asset in the partisan contestation for ministerial positions and influence within state institutions after 2011. Faced with the marked fragmentation of these sectors, powerful political actors such as the Muslim Brotherhood and Salafists in Libya or Saleh and the Islah Party in Yemen strove to retain or take over select security and intelligence agencies, Interior Ministry departments, and army units. Reinforcing this top-down approach was the preference of external partners involved in security sector restructuring to deal with central government ministries and agencies, in order to generate more effective responses to terrorism and illegal migration.

Besides reinforcing the tendency to centralization, both trends also reproduced security sector stovepiping—replacing one set of vertical loyalties with another—and further weakened horizontal professional bonds and institutional cohesion. When NATO members took an opposite approach in Libya, proposing to build entirely new, politically neutral military structures such as the national guard or general purpose force, they were blocked by the competing power centers within the transitional government and GNC.

Tackling these negative dynamics required two actions. First, all initiatives affecting the security sector had to be placed within a clear reform framework, combining plans for restructuring and for upgrading professional capabilities

with proposals for revamping governance and ensuring meaningful accountability, at least internally to mandated state institutions, as well as transparency to the general public and interested political and social actors. Second, a frank and wide-ranging discussion about decentralizing key aspects of security sector functioning and governance was needed.

These two measures could have mitigated the concerns of opposition movements, revolutionary militias, civil society organizations, local authorities, and other interest groups that either feared a comeback by old regime elements or marginalization and domination by the emerging power centers located in national capitals, central state institutions, and new representative assemblies. They would have also made it possible to reconcile the need to respond to immediate problems through ad hoc or temporary measures, which was unavoidable, with medium- and long-term objectives.

Although security sector reform is very much a top-down, specialized process in terms of institutional design, policymaking, and ensuring compliance, the need to build trust and enhance legitimacy necessitated a determined effort to promote transparency. This could have been addressed by forming internal management committees comprising security sector and government representatives, as well as public commissions offering political parties both in and out of government, civil society organizations, and media outlets a structured means of observing the process and conveying views, expectations, and concerns of their constituencies.

A similar approach could have been applied to the intelligence agencies, which received no public attention in any of the proposed security sector restructuring plans in either Libya or Yemen. That was despite their central role in maintaining authoritarian power as political police under Qaddafi and Saleh and their reemergence after 2011 as an arena for deadly struggles between rival power centers, ancien régime loyalists, and jihadist groups.

An alternative approach would moreover have placed much greater emphasis on restoring the capability and credibility of law enforcement agencies, rather than on military restructuring (of the armed forces) as favored by NATO members in Libya and the GCC initiative in Yemen. There was an opportunity to elevate the capabilities and standing of the police, which would have prioritized citizens' most immediate needs, provided a better environment for the revival of economic activity and administrative services, and enhanced the legitimacy of the police and transitional governments. In turn, this would have enabled these governments to pursue parallel policy reforms in other areas, including within the armed forces.

Transitional governments also needed to prioritize ending the culture of impunity, which spread from the old security sectors to the armed groups that claimed to provide security after 2011. Given the widespread legacy of distrust of the security sector and the obvious inability of civilian authorities to enforce compliance, promoting basic standards and expectations of ethical behavior

by both official and unofficial coercive agencies required buy-in from the widest range possible of political, social, and institutional actors with an effective presence on the ground.

Furthermore, this should have gone hand in hand with concrete steps to end security sector abuses: establishing fully empowered inspectors general and human rights departments in interior ministries, appointing independent ombudsmen, and providing human rights organizations with data as a formal reporting obligation. By making this goal a genuine priority and mainstreaming it as an integral aim of security sector reform, rather than a side issue, post-2011 authorities would have gone a long way to delivering transitional justice by preventing the recurrence of past abuses.

Little of this approach was attempted in Libya or Yemen, with the particularly notable and commendable exception of the National Dialogue Conference in Yemen. Most efforts that were made were halfhearted and neither consistent nor sustained.

Failure to transform the Libyan and Yemeni security sectors has resulted in a revival of centralizing tendencies and the reproduction of authoritarian legacies. As a result, neither Libya nor Yemen has a fully legitimate and functioning central government or a security sector that is under the meaningful control of any of the rival armed camps. Libya and Yemen will not reemerge as sovereign states without resolving fundamental struggles over the purpose and form of their security sectors, and they can no longer do so without both the devolution and democratization of political power.

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**Libya and Yemen will not reemerge as sovereign states without resolving fundamental struggles over the purpose and form of their security sectors, and they can no longer do so without both the devolution and democratization of political power.**

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## Notes

- 1 Frederic Wehrey, "Libya Doesn't Need More Militias," *New York Times*, June 10, 2013, [www.nytimes.com/2013/06/11/opinion/libya-doesnt-need-more-militias.html?\\_r=0](http://www.nytimes.com/2013/06/11/opinion/libya-doesnt-need-more-militias.html?_r=0).
- 2 Joseph Walker-Cousins in discussion with author, Beirut, December 20, 2012.
- 3 Joseph Walker-Cousins, "Background Paper on Libya," Conference on "Security Sector Transformation in Arab Transitions: Working for Change," December 2012, 25, [http://carnegieendowment.org/files/Walker\\_Cousins\\_-\\_Libya\\_-\\_English.pdf](http://carnegieendowment.org/files/Walker_Cousins_-_Libya_-_English.pdf).
- 4 "Congress Sets Up Its Own Military Force," *Libya Herald*, January 10, 2013, [www.libyaherald.com/2013/01/10/congress-sets-up-own-military-force/#axzz2trqSxOIg](http://www.libyaherald.com/2013/01/10/congress-sets-up-own-military-force/#axzz2trqSxOIg).
- 5 Florence Gaub, "After the Spring: Reforming Arab Armies," Strategic Studies Institute, United States Army War College, September 2014, 19–20.
- 6 Frederic Wehrey, "Libya's Militia Menace: The Challenge After the Elections," *Foreign Affairs*, July 12, 2012, [www.foreignaffairs.com/articles/137776/frederic-wehrey/libyas-militia-menace](http://www.foreignaffairs.com/articles/137776/frederic-wehrey/libyas-militia-menace).
- 7 Frederic Wehrey, "Libya's Revolution at Two Years: Perils and Achievements," *Mediterranean Politics*, February 11, 2013, [www.tandfonline.com/doi/abs/10.1080/13629395.2013.764655#.VLAk86bvZbs](http://www.tandfonline.com/doi/abs/10.1080/13629395.2013.764655#.VLAk86bvZbs). Reportedly, the government transferred only \$1.8 billion of the \$8 billion pledged. News sources cited in International Crisis Group, *Divided We Stand: Libya's Enduring Conflicts*, Middle East/North Africa Report no. 130, September 14, 2012, 11, fn. 78. On the perception of Muslim Brotherhood control, Joseph Walker-Cousins, e-mail to author, April 3, 2015.
- 8 Amal Obaidi, professor of political science, Benghazi University, in discussion with author, Beirut, December 19, 2012.
- 9 Frederic Wehrey and Peter Cole, "Building Libya's Security Sector," Policy Outlook, Carnegie Endowment for International Peace, August 6, 2013, 26, <http://carnegieendowment.org/2013/08/06/building-libya-s-security-sector/ghle>; and Wolfram Lacher, "Fault Lines of the Revolution: Political Actors, Camps and Conflicts in the New Libya," German Institute for International and Security Affairs, Research Paper RP4, May 2013, 26.
- 10 Frederic Wehrey, "What's Behind Libya's Spiraling Violence?" Monkey Cage (blog), *Washington Post*, July 28, 2014, [www.washingtonpost.com/blogs/monkey-cage/wp/2014/07/28/whats-behind-libyas-spiraling-violence](http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/07/28/whats-behind-libyas-spiraling-violence).
- 11 The April 2012 figure is according to former deputy interior minister Omar al-Khadrawi, cited in "Libya Interior Ministry Takes 70,000 Former Rebels Under Its Wing," *Libya Business News*, April 25, 2012, [www.libya-businessnews.com/2012/04/25/libya-interior-ministry-takes-70000-former-rebels-under-its-wing](http://www.libya-businessnews.com/2012/04/25/libya-interior-ministry-takes-70000-former-rebels-under-its-wing). The remaining figures are from Wolfram Lacher and Peter Cole, "Politics by Other Means: Conflicting Interests in Libya's Security Sector," Small Arms Survey/Security Assessment in North Africa project, Working Paper 20, October 2014, 31 and 36.
- 12 Joseph Walker-Cousins, UK special envoy's stabilization adviser (Tripoli, Libya), e-mail to author, April 3, 2015.

- 13 Matthew Hedges, “Protecting Libya’s Lifeblood,” *INEGMA/Eurasia Review*, November 7, 2013, [www.eurasiareview.com/07112013-protecting-libyas-lifeblood-analysis](http://www.eurasiareview.com/07112013-protecting-libyas-lifeblood-analysis).
- 14 Frederic Wehrey, “The Battle for Benghazi,” *Atlantic*, February 28, 2014, [www.theatlantic.com/international/archive/2014/02/the-battle-for-benghazi/284102](http://www.theatlantic.com/international/archive/2014/02/the-battle-for-benghazi/284102).
- 15 Walker-Cousins, “Background Paper on Libya.”
- 16 Nicolas Pelham, “Libya’s Restive Revolutionaries,” Middle East Research & Information Project, June 1, 2012, [www.merip.org/mero/mero060112](http://www.merip.org/mero/mero060112).
- 17 The lower figure is from Lacher and Cole, “Politics by Other Means Conflicting Interests in Libya’s Security Sector,” 36. The higher figure is based on research by Ibrahim Sharqieh, deputy director of the Brookings Doha Center, e-mail to author, April 3, 2015.
- 18 International Crisis Group, *Divided We Stand: Libya’s Enduring Conflicts*, 12.
- 19 Libyan Mission to the United Nations, “Briefing by Mr. Tarek Mitri SRSG for Libya—Meeting of the Security Council,” June 19, 2013, [www.libyanmission-un.org/en/2013/06/briefing-by-mr-tarek-mitri-srsg-for-libya-meeting-of-the-security-council](http://www.libyanmission-un.org/en/2013/06/briefing-by-mr-tarek-mitri-srsg-for-libya-meeting-of-the-security-council).
- 20 Ibrahim Sharqieh, “Reconstructing Libya: Stability Through National Reconciliation,” Brookings Doha Center, Analysis Paper no. 9, December 2013, 1, [www.brookings.edu/-/media/research/files/papers/2013/12/03%20libya%20national%20reconciliation%20sharqieh/libya%20national%20reconciliation%20english.pdf](http://www.brookings.edu/-/media/research/files/papers/2013/12/03%20libya%20national%20reconciliation%20sharqieh/libya%20national%20reconciliation%20english.pdf).
- 21 Cited in “Libyan Interior Minister Resigns His Post,” Aljazeera.net, August 18, 2013 (in Arabic), [www.aljazeera.net/news/pages/4e0ce9d6-add1-4d54-baa3-a79aa2e9a4b9](http://www.aljazeera.net/news/pages/4e0ce9d6-add1-4d54-baa3-a79aa2e9a4b9).
- 22 “Libya: Politicians Face Death Penalty Over Blasphemous Cartoon,” Amnesty International, February 27, 2014, [www.amnesty.org/en/news/libya-politicians-face-death-penalty-over-blasphemous-cartoon-2014-02-27](http://www.amnesty.org/en/news/libya-politicians-face-death-penalty-over-blasphemous-cartoon-2014-02-27).
- 23 Joseph Walker-Cousins, UK special envoy’s stabilization adviser (Tripoli, Libya), e-mail to author, April 5, 2013.
- 24 Mohamed Ahmad Ali al-Mikhlafi and Abdul Kafi Sharaf al Din al Rahabi, Reform of the Security Sector in Yemen, Arab Reform Initiative, May 2012, 10–11.
- 25 Text kindly provided by Jonathan McIvor, director Siren Associates, in e-mail to author, March 29, 2015.
- 26 According to then legal affairs minister Mohamed al-Mikhlafi, cited in “Minister: Transitional Justice Law Is Obstructed,” *Yemen Post*, December 8, 2012, [www.yemenpost.net/Detail123456789.aspx?ID=3&SubID=6316&MainCat=3&utm\\_source=Public+International+Law++Policy+Group+List&utm\\_campaign=00ac4c415b-Yemen\\_News\\_Update\\_December\\_11\\_201212\\_11\\_2012&utm\\_medium=email&utm\\_source=Public+International+Law++Policy+Group+List&utm\\_campaign=00ac4c415b-Yemen\\_News\\_Update\\_December\\_11\\_201212\\_11\\_2012&utm\\_medium=email](http://www.yemenpost.net/Detail123456789.aspx?ID=3&SubID=6316&MainCat=3&utm_source=Public+International+Law++Policy+Group+List&utm_campaign=00ac4c415b-Yemen_News_Update_December_11_201212_11_2012&utm_medium=email&utm_source=Public+International+Law++Policy+Group+List&utm_campaign=00ac4c415b-Yemen_News_Update_December_11_201212_11_2012&utm_medium=email).
- 27 “Hadi Issues Key Decrees to Restructure Armed Forces,” *Yemen Post*, December 19, 2012, [www.yemenpost.net/Detail123456789.aspx?ID=3&SubID=6351&MainCat=3](http://www.yemenpost.net/Detail123456789.aspx?ID=3&SubID=6351&MainCat=3).
- 28 “Conclusion of the First Scientific Seminar on Reorganizing and Restructuring the Police Apparatus,” National Information Center, Presidency of the Republic, December 11, 2012 (in Arabic), <http://yemen-nic.net/news/detail.php?ID=43164>.
- 29 Marwan Noman and David S. Sorenson, “Reforming the Yemen Security Sector,” Center on Democracy, Development, and the Rule of Law Freeman Spogli Institute for International Studies, Working Paper 137, June 2013, 16.
- 30 Minister interviewed by Jamal Mohammad, “Yemeni Minister of Industry and Trade to al-Hayat: Half of State Employees ‘Ghosts,’” al-Hayat, April 15, 2014 (in Arabic), [www.alhayat.com/Articles/1805860/%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%B5%D9%86%D8%A7%D8%B9%D8%A9-%D9%88%D8%A7%D9%84%D8%AA%D8%AC%D8%A7%D8%B1%D8%A9-%D8%A7%D9%84%D9%8A%D9%85%D9%86%D9%8A-%D9%84%D9%80--%D8%A7%D9%84%D8%AD%D9%8A%D8%A7%D8%A9---%D9%86%D8%B5%D9%81-%D9%85%D9%88%D8%B8%D9%91%D](http://www.alhayat.com/Articles/1805860/%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%B5%D9%86%D8%A7%D8%B9%D8%A9-%D9%88%D8%A7%D9%84%D8%AA%D8%AC%D8%A7%D8%B1%D8%A9-%D8%A7%D9%84%D9%8A%D9%85%D9%86%D9%8A-%D9%84%D9%80--%D8%A7%D9%84%D8%AD%D9%8A%D8%A7%D8%A9---%D9%86%D8%B5%D9%81-%D9%85%D9%88%D8%B8%D9%91%D)

- 9%81%D9%8A-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D8%A9-----%D8%A3%D8%B4%D8%A8%D8%A7%D8%AD-.
- 31 Abu Hatim quoted in “Third Plenary Session Hears Military and Security Final Report,” National Dialogue Conference, official website, November 3, 2013, <http://sahafah.net/show1233586.html>.
- 32 Jonathan McIvor, director, Siren Associates, in e-mail to author, March 29, 2015.
- 33 Noman and Sorenson, “Reforming the Yemen Security Sector,” 19.
- 34 Saeed Al Batati, “Yemen Reforms Corruption-Ridden Public Payroll,” *Gulfnews.com*, August 14, 2014, [http://gulfnews.com/news/gulf/yemen/yemen-reforms-corruption-ridden-public-payroll-1.1372192?utm\\_content=1.1372192&utm\\_medium=RSS&utm\\_source=Feeds&utm\\_campaign=Yemen\\_reforms\\_corruption-ridden\\_public\\_payroll&localLinksEnabled=false&utm\\_term=News\\_RSS\\_feed](http://gulfnews.com/news/gulf/yemen/yemen-reforms-corruption-ridden-public-payroll-1.1372192?utm_content=1.1372192&utm_medium=RSS&utm_source=Feeds&utm_campaign=Yemen_reforms_corruption-ridden_public_payroll&localLinksEnabled=false&utm_term=News_RSS_feed).
- 35 “Appointments in the Ministry of Interior, Police Academy, and Civil Register,” *NewsYemen.net*, June 27, 2013, [www.newsyemen.net/news342.html](http://www.newsyemen.net/news342.html).
- 36 Jonathan McIvor, director of Siren Associates, e-mail to the author, May 9, 2013.
- 37 “Waiting for Change: The Impact of Transition on Local Justice and Security in Yemen,” United States Institute of Peace, April 9, 2013, 9, [www.usip.org/sites/default/files/PW85-Waiting-for-Change.pdf](http://www.usip.org/sites/default/files/PW85-Waiting-for-Change.pdf).
- 38 Yemen Polling Center, “Public Perceptions of the Security Sector and Police Work in Yemen. Major Survey Findings,” January 30, 2013, 36 and 37, [www.yemenpolling.org/Projects-en/YPC-SSG\\_survey-major\\_results-print\\_version.pdf](http://www.yemenpolling.org/Projects-en/YPC-SSG_survey-major_results-print_version.pdf).
- 39 Farea Al-Muslimi, in discussion with the author, Cairo, March 13, 2013.
- 40 Ibrahim Sharqieh, “A Lasting Peace? Yemen’s Long Journey to National Reconciliation,” Brookings Doha Center, Analysis Paper 7, February 2013, 16.
- 41 According to numerous activists and nongovernmental organization representatives in discussion with the author, “Approaches to Security Sector Reform” workshop, Chatham House and Saferworld, Cairo, March 11–13, 2013. On the devolution of policing to tribes and on the functioning of tribal customary law and conflict resolution, Nadwa Al-Dawsari, “Tribal Governance and Stability in Yemen,” Carnegie Paper, Carnegie Endowment for International Peace, April 2012, <http://carnegieendowment.org/2012/04/24/tribal-governance-and-stability-in-yemen#>.
- 42 Al-Mikhlaflafi and al Rahabi, “Reform of the Security Sector in Yemen,” 6.
- 43 Sharqieh, “A Lasting Peace? Yemen’s Long Journey to National Reconciliation,” 16.
- 44 Farea Al-Muslimi, Yemeni activist-writer, in discussion with the author, March 2013.
- 45 Nadwa Al-Dawsari, “The Popular Committees of Abyan, Yemen: A Necessary Evil or an Opportunity for Security Reform?” Middle East Institute, March 5, 2014, [www.mei.edu/content/popular-committees-abyan-yemen-necessary-evil-or-opportunity-security-reform](http://www.mei.edu/content/popular-committees-abyan-yemen-necessary-evil-or-opportunity-security-reform).
- 46 Farea Al-Muslimi, “South Yemen Struggles in Wake of Unrest,” *Al-Monitor*, April 7, 2013, [www.al-monitor.com/pulse/originals/2013/04/south-yemen-struggles-in-wake-of-unrest-abyan-province-aqap.html?utm\\_source=&utm\\_medium=email&utm\\_campaign=6836#ixzz2PtFafZFx](http://www.al-monitor.com/pulse/originals/2013/04/south-yemen-struggles-in-wake-of-unrest-abyan-province-aqap.html?utm_source=&utm_medium=email&utm_campaign=6836#ixzz2PtFafZFx).
- 47 Farea Al-Muslimi, Yemeni activist-writer, and Mohammad al-Shami, Project Coordinator Yemen, Saferworld, in discussion with the author, July 2013 and January 2014, respectively.
- 48 On both Saleh’s and Hadi’s roles, author’s discussion with a southern Yemeni political writer and a governance advisor respectively, Cairo, March 11–13, 2013.
- 49 “A Leader in the Southern Herak Welcomes the Entry of the Popular Committees to Aden and Calls on Them to Protect the Protestors,” *AdenAlghad.net*, November 4, 2014, <http://adenalghad.net/news/131211/#.VGdDHda2KRt>.
- 50 For a detailed view, see Farea Al-Muslimi, “The Popular Committee Phenomenon in Yemen: Fueling War and Conflict,” *Syria in Crisis* (blog), Carnegie Endowment for International Peace, April 1, 2015, <http://carnegieendowment.org/>



- syriaincrisis/?fa=59560&mkt\_tok=3RkMMJWWf9wsRons6TKZKXonjHpfsX57%2B4lW66g38431UFwdcjKPmjr1YIITsp0aPyQAgobGp5I5FEIQ7XYTLB2t60MW A%3D%3D. On charges of suppressing dissent, “Popular Committees” Feed Yemen Polarization,” IRIN, November 3, 2014. [www.irinnews.org/report/100788/popular-committees-feed-yemen-polarization](http://www.irinnews.org/report/100788/popular-committees-feed-yemen-polarization).
- 51 Peter Salisbury, “The Trouble With Yemen,” *Business Week*, October 29, 2014, <http://businessweekme.com/Bloomberg/news/190/newsid/263#sthash.L6onjQnR.dpuf>.
- 52 International Crisis Group, “Yemen at War,” Middle East Briefing no. 45, March 27, 2015, 3, [www.crisisgroup.org/-/media/Files/Middle%20East%20North%20Africa/Iran%20Gulf/Yemen/b045-yemen-at-war.pdf](http://www.crisisgroup.org/-/media/Files/Middle%20East%20North%20Africa/Iran%20Gulf/Yemen/b045-yemen-at-war.pdf). Quote from Saleem Haddad, Conflict Adviser, Middle East and North Africa Program, Saferworld, e-mail to the author, April 8, 2015.
- 53 Khaled Fattah, “The Repercussions of the GCC Tension in Yemen,” Sada, April 8, 2014, <http://carnegiendowment.org/sada/2014/04/08/repercussions-of-gcc-tension-in-yemen/h7fp>.
- 54 Sharqieh, “A Lasting Peace? Yemen’s Long Journey to National Reconciliation,” 9.
- 55 Ali Ibrahim Al-Moshki, “Tensions Mount Over Appointment of Islah-Affiliated Security Chief,” *Yemen Times*, June 24, 2013, [www.yementimes.com/en/1688/news/2529/Tensions-mount-over-appointment-of-Islah-affiliated-security-chief.htm](http://www.yementimes.com/en/1688/news/2529/Tensions-mount-over-appointment-of-Islah-affiliated-security-chief.htm).
- 56 According to Mohamed Ahmad Ali al-Mikhlafl and Abdul Kafi Sharaf al Din al Rahabi, “Reform of the Security Sector in Yemen,” Arab Reform Initiative, May 2012, [www.ypwatch.org/upfiles/ypwatch-gp26-02-2014-776.pdf](http://www.ypwatch.org/upfiles/ypwatch-gp26-02-2014-776.pdf).
- 57 Gregory Johnsen and Christopher Boucek, “The Dilemma of the Yemeni Detainees at Guantanamo Bay,” *CTC Sentinel 1*, issue 12, November 2008, 1; citing Eric Westervelt, “Growing Repression in Yemen May Feed al-Qaeda,” National Public Radio, November 10, 2005.
- 58 Farea Al-Muslimi, “Yemen Plagued by Assassinations,” *Al-Monitor*, October 18, 2013, [www.al-monitor.com/pulse/originals/2013/10/assassinations-plague-yemen.html?utm\\_source=&utm\\_medium=email&utm\\_campaign=8406#ixzz2iNq8UIjs](http://www.al-monitor.com/pulse/originals/2013/10/assassinations-plague-yemen.html?utm_source=&utm_medium=email&utm_campaign=8406#ixzz2iNq8UIjs).
- 59 “Lawyer for the Victims of ‘Friday of Dignity’ Was Killed by Gunmen Who Attacked His Home in Sanaa,” *Mareb Press*, December 5, 2012 (in Arabic), [http://marebpress.net/news\\_details.php?sid=49640&lng=arabic](http://marebpress.net/news_details.php?sid=49640&lng=arabic).
- 60 “At a Press Conference in Change Square: Interior Ministry Officers Declare Support for 11 February Campaign to Dismiss the Government,” *Wefaq Press*, February 25, 2014 (in Arabic), [http://wefaqpress.net/news\\_details.php?lang=arabic&sid=13391](http://wefaqpress.net/news_details.php?lang=arabic&sid=13391).
- 61 For example, “Unprecedented Ideas for Appointments at Yemeni Interior [Ministry],” Almasdar Online, April 8, 2014, <http://almasdaronline.com/article/56486>.
- 62 Briefing to the Security Council SRSG and Head of UNSMIL, Tarek Mitri, June 18, 2013, <http://unsmil.unmissions.org/Default.aspx?tabid=3561&ctl=Details&mid=8549&ItemID=1572835&language=en-US>.
- 63 Contained in law number 38 of 2012, “On Some Procedures for the Transitional Period,” passed by the NTC in May 2012. See Human Rights Watch, “Libya: Amend New Special Procedures Law Reject Impunity for Serious Crimes,” May 11, 2012, [www.hrw.org/news/2012/05/11/libya-amend-new-special-procedures-law](http://www.hrw.org/news/2012/05/11/libya-amend-new-special-procedures-law).
- 64 See the description of the Transitional Justice, Impunity and Human Rights Program of Lawyers for Justice in Libya: [www.libyanjustice.org/our-programmes/transitional-justice-impunity-and-human-rights](http://www.libyanjustice.org/our-programmes/transitional-justice-impunity-and-human-rights); “Torture and Deaths in Detention in Libya,” October 2013, <http://unsmil.unmissions.org/Portals/unsmil/Documents/Torture%20Report%20Libya%20En%2001Oct2013.pdf>.
- 65 Elham Manea, “Yemen’s Contentious Transitional Justice and Fragile Peace,” Middle East Institute, February 24, 2014, [www.mei.edu/content/yemen%E2%80%99s-contentious-transitional-justice-and-fragile-peace](http://www.mei.edu/content/yemen%E2%80%99s-contentious-transitional-justice-and-fragile-peace).

- 66 Quoted from “Facing a Troubled Past, Yemen Debates Transitional Justice Measures,” International Center for Transitional Justice, June 25, 2012, [www.ictj.org/news/facing-troubled-past-yemen-debates-transitional-justice-measures](http://www.ictj.org/news/facing-troubled-past-yemen-debates-transitional-justice-measures). On 2014 draft law, “Yemen: Transitional Justice Law Draft to Be Submitted to Cabinet Late in May,” International Center for Transitional Justice, April 30, 2014, [www.ictj.org/news/yemen-transitional-justice-law-draft-be-submitted-cabinet-late-may](http://www.ictj.org/news/yemen-transitional-justice-law-draft-be-submitted-cabinet-late-may).
- 67 United Nations Development Program, “Support to the Implementation of Transitional Justice in Yemen,” [www.ye.undp.org/content/yemen/en/home/operations/projects/democratic\\_governance/support-to-the-implementation-of-transitional-justice-in-yemen.html](http://www.ye.undp.org/content/yemen/en/home/operations/projects/democratic_governance/support-to-the-implementation-of-transitional-justice-in-yemen.html).
- 68 Erica Gaston, “Process Lessons Learned in Yemen’s National Dialogue,” United States Institute of Peace, Special Report 342, February 2014, [www.usip.org/sites/default/files/SR342\\_Process-Lessons-Learned-in-Yemens-National-Dialogue.pdf](http://www.usip.org/sites/default/files/SR342_Process-Lessons-Learned-in-Yemens-National-Dialogue.pdf).
- 69 Quote from Salah al-Marghani in International Crisis Group, “Trial by Error: Justice in Post-Qadhafi Libya,” Middle East/North Africa Report no. 140, April 17, 2013, 18, [www.crisisgroup.org/-/media/Files/Middle%20East%20North%20Africa/North%20Africa/libya/140-trial-by-error-justice-in-post-qadhafi-libya.pdf](http://www.crisisgroup.org/-/media/Files/Middle%20East%20North%20Africa/North%20Africa/libya/140-trial-by-error-justice-in-post-qadhafi-libya.pdf).
- 70 Erica Gaston with Nadwa Al-Dawsari, “Justice in Transition in Yemen: A Mapping of Local Justice Functioning in Ten Governorates in Yemen,” United States Institute of Peace, September 17, 2014, 3, [www.usip.org/sites/default/files/PW99\\_Justice-in-Transition-in-Yemen.pdf](http://www.usip.org/sites/default/files/PW99_Justice-in-Transition-in-Yemen.pdf).
- 71 The lack of technical know-how noted by Youssef Chaitani, Omar Ashour, and Vito Intini (principal authors), “An Overview of the Arab Security Sector Amidst Political Transition: A Reflection on Legacies, Functions and Perceptions,” Economic and Social Commission for Western Asia, July 31, 2013, 8, [www.escwa.un.org/information/publications/edit/upload/E\\_ESCWA\\_ECRI\\_13\\_2\\_E.pdf](http://www.escwa.un.org/information/publications/edit/upload/E_ESCWA_ECRI_13_2_E.pdf).

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