PEACEBUILDING IN THE TIME OF WAR: TRIBAL CEASE-FIRE & DE-ESCALATION MECHANISMS IN YEMEN

THE MIDDLE EAST INSTITUTE

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APRIL 2021

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Cover photo: Two men hug during a prisoner swap between the
Yemeni government and the Houthi movement following tribal
mediation, in Taiz, December 19, 2019. Photo by AHMAD AL-BASHA/
AFP via Getty Images.

ABOUT THIS PUBLICATION

Methodology

This report is based on the author's 16 years of expertise working with tribes in Yemen. The author has been investigating the impact of the conflict on tribes since 2011 and has written several papers and reports on the subject. Since 2014, the author has made over a dozen trips into tribal areas in Yemen, where she met with hundreds of sheikhs, tribal members, civil society leaders, and security actors. Additional interviews were conducted during March 2020-March 2021 with 48 individuals, including 23 tribal leaders, 13 civil society representatives and youth activists, four local authority figures, and eight security officials in Marib, al-Jawf, Baydha, Shabwa, Abyan, and Lahj.

Key Takeaways

- Tribes in Yemen are based on individual freedoms and collective responsibility. As individuals, members of tribes are free to choose who they want to support and fight for so long as their political allegiances do not bring harm to the tribe as a collective. Largely based on honor, forgiveness and the culture of apology are imbedded in tribal culture. The interests of the collective tribe are prioritized over the interests of individual tribesmen.

- The current war has taken an outsized toll on the tribes. Most fighters come from tribes and the most active frontlines are in tribal areas. Additionally, the war has internally divided some tribes along political lines, sometimes at the level of the nuclear family.

- In response to the spread of violence and building on their customary law, Yemeni tribes developed relatively effective measures that helped limit the impact of the internal divisions among their members caused by the war and achieved a reasonable level of stability in tribal communities.

- Tribal mediations helped secure towns and villages, de-escalate tensions, open safe routes for civilians, exchange thousands of prisoners, and reopen roads. Challenges to tribal de-escalation mechanisms include risk to reputation and safety, Houthi violation of agreements with tribes, the influence of outside actors, and U.N. interference inadvertently undermining prisoner exchanges.

- Tribes are eager to see the war end and to restore peace and stability to their areas. But they are concerned that the solutions currently proposed by the U.N. Special Envoy for Yemen Martin Griffiths and supported by the Biden administration would consolidate the Houthis' military gains at the expense of the tribes, reproducing the power dynamics that have marginalized them for centuries, leaving their grievances unaddressed, and locking them in a cycle of perpetual violence that threatens their very existence.

- While tribal mediation has helped mitigate the impact of the war on tribal communities, it has major limitations in relation to national-level and political conflicts. Engaging tribes in cease-fire and de-escalation without serious commitment by the Houthis and Yemeni government can carry serious risks to tribal mediators and to stability in tribal areas. The U.N. envoy, international donors, and the organizations they fund need to understanding those limitations in their work to avoid doing harm.

Photo above: A tribesman loyal to the Houthi group carries his gun as he participates in a tribal gathering on July 8, 2020 on the outskirts of Sanaa, Yemen. **Photo by Mohammed Hamoud/Getty Images.**

> **The role of Yemeni tribes remains largely misunderstood among Western observers and urban Yemenis alike.**

Introduction

Yemen's civil war has killed over 100,000 people since 2014, including over 12,000 civilians.[1] It has made the country the world's largest humanitarian crisis, according to U.N. agencies. The Iran-backed Houthi rebels with support from former President Ali Abdullah Saleh seized the capital Sanaa in 2014. The Houthis executed Saleh in December 2017, and since then, they have established solid control of north Yemen, where most of the population lives. Backed by the United States, the Saudi-led coalition intervened militarily in March 2015 to reinstate the government of President Abed Rabbo Mansour Hadi into power. However, over the past six years, the conflict has evolved into a complex and multi-layered war involving local and regional actors, most of whom have divergent and competing agendas.

The United Arab Emirates (UAE) backs the Southern Transitional Council (STC), which seeks to separate south Yemen. After brief

clashes, the STC forced the Yemeni government out of the temporary capital in Aden in August 2019. A new government was formed and moved from Riyadh to Aden in December 2020 based on the Riyadh Agreement, a Saudi-mediated deal between the Yemeni government and the STC. Critical components of the deal, however, including the withdrawal of forces from Aden and incorporation of armed forces under Yemeni government chain of command have not been implemented, leaving the new government largely at the STC's mercy. Meanwhile, the Houthis have made substantial military gains since December 2018, capturing the eastern tribal governorate of al-Jawf and threatening to take Marib governorate as well. Marib is the last stronghold of the Yemeni government and home to millions of civilians, including 2 million internally displaced persons (IDPs), according to official sources.[2]

As the current U.N.-led political negotiations between the Yemeni government and the Houthis seem to have hit a dead end, there has been growing interest from the Office of the Special Envoy of the Secretary-General for Yemen (OSESGY), Western diplomats, and Western-funded organizations to explore the role tribal leaders and local tribes can play in ending Yemen's conflict. The role of Yemeni tribes, however, remains largely misunderstood among Western observers and urban Yemenis alike. The authority of tribal leaders and the influence of tribes on national political decision making are often largely overestimated. There is an assumption among some Westerners involved in Yemen that tribal leaders have the ability and influence to mediate or pressure the main conflict parties in Yemen to cease hostilities and accept a political solution to end the war.[3]

This report looks into the possibilities and limitations of tribal mediation on de-escalation and cease-fire. It argues that while the tribes developed relatively effective mechanisms to limit the spread of violence into their areas, there are major limitations to their ability to mediate the national-level and political conflict.

Key Concepts

This section provides the reader with key basic concepts on the tribal system that will help explain the actions and reactions of tribes in response to the war and the spread of violence.

Tribal customary law: Yemen's tribes are based in distinct geographic areas and are governed by tribal customary law (*'urf*), which can be considered a social contract among members of the tribes, between them and their sheikhs, and among other tribes in general. Tribal customary law helps resolve and prevent conflicts, maintain security and order, and address security threats to the tribe. Tribal law is designed to protect the interests of the collective over those of the individual and offers protection for tribesmen so long as they respect tribal rules.[4] Therefore, tribal conflict resolution is largely based on compromise. In addition, empathy, the culture of apology, and the admission of wrongdoing are deeply rooted in tribal mediation, which promotes reconciliation beyond the resolution of conflict itself.[5]

Individual freedoms: Tribal sheikhs are sometimes mistakenly depicted as "rulers" who make decisions on behalf of their tribes or take their tribes in the direction they desire. Similarly, tribesmen are at time erroneously portrayed as mercenaries who follow their tribal leaders' orders.[6] In reality, tribes are egalitarian, not hierarchical, social entities, and leaders (sheikhs) do not have absolute authority over their tribes. While a tribal sheikh can influence his tribesmen, he cannot force them to make certain choices, including whom to side with during a violent conflict, so long as their choices do not bring harm to the tribe.[7] Many of the al-Shajan tribesmen in al-Jawf, for example, are fighting alongside the government, while their sheikh, Abdulsalam Shaihat, supports the Houthis.[8]

Collective responsibility: The concept of collective responsibility is the foundation of tribal law. A crime is considered an individual act, but its consequences are borne by the entire tribe. Tribes are ultimately responsible and held accountable for their members' actions. For example, if someone is found dead within a tribal territory with no evidence of who committed the crime, the

whole tribe is held accountable. "Such crimes must not be attributed to unknown subjects. Collective responsibility measures must be taken in response so that people do not cover for abusers and those who are a threat to people's lives," wrote Sheikh Mohammed Sayyad, a Maragha sheikh from Khawlan.[9]

Tribes act on their interests: As entities, tribes are generally apolitical. They act based on their immediate community interests, including accessing services, securing financial interests, providing jobs, or simply keeping their areas safe and off limits to violent conflicts. The decision to fight or stand down is calculated based on how that move would affect the collective peace and security of the tribe. As individuals, members of tribes are free to choose who they want to support and fight for. As a collective, tribes have taken measures to prevent individual tribesmen's political allegiances from disrupting security and order in the tribe.

Relationships come first: Despite their political differences, tribal leaders and members of tribes try to maintain tribal relationships. Tribal leaders on both sides maintain respect for each other and sometimes use their influence to help each other when needed. This relationship is brotherly and overrides political loyalties. In past years, these personal relationships have helped mitigate local tensions, exchange thousands of prisoners, and secure the protection of civilians. Tribes are also an honor-based society where one's word is valued and observed.[10] To violate a promise or to lie is a dishonorable behavior that can cost a tribesman his integrity and reputation, both of which are highly valued in tribal culture and central to maintaining tribal relations.

The Impact of the War on Tribes

Divided Tribes

The conflict takes an outsized toll on the members of tribes, as about 80% of the fighters come from tribes. Thousands have lost their lives and many more have been injured, lacking basic medical care. In addition, millions have been displaced from their homes and many others have lost their source of income.[11] The current war has internally divided some tribes, with members of the same nuclear family at times even fighting on opposing sides. Personal decisions to fight or side with a particular actor are motivated by various factors, including the following:

1. **Defending homes and dignity:** Interviews with tribal leaders and tribesmen from Marib, al-Jawf, al-Baydha, Abyan, and Shabwa reveal that this is the main reason why tribes took up arms and fought against the Houthis. The Houthis are largely viewed as outsiders who come principally from northern areas and seek to exercise authority over and subjugate other tribes.[12] A tribal sheikh from Baydha explained, "The Houthis came from Saada to Baydha to fight and humiliate our tribes. They started the aggression and they are the ones who started this war. The tribes had to pick up arms to defend themselves, their land, and their dignity."[13]

2. **Fear of the Houthis reviving the Imamate:** Many tribes believe that the Houthis seek to revive the Imamate, a theocracy that ruled parts of north Yemen for hundreds of years until it was overthrown in 1962. The Imams ruled with an iron fist, isolated the country from the rest of the world, and prevented modern education and basic services. The Imamate limited the right to rule to Yemenis who trace their roots to the Prophet Muhammad's bloodline — those known commonly in Yemen as Hashemites or Sayyids. The Imams subjugated the tribes through the practice of taking hostages, mainly sons of tribal leaders, to ensure their compliance. They also harshly quelled tribal resistance in various parts of Yemen.[14]

3. **Financial interests:** Some tribal leaders who were affiliated with the General People's Congress (GPC), Yemen's former ruling party, supported the Houthis and even mobilized fighters for them in exchange for handouts and positions in the Houthi-controlled government. Some were appointed by the Houthis as governors, deputy governors, security directors, and members of the Houthi-controlled cabinet.[15] On the other side, tribal leaders chose to fight with the government because they hold important official positions and they know they will lose them if Houthis take control of their areas. On both sides, some tribesmen fought in the hope of being formally recruited into the armed forces, which would guarantee them a permanent job. Others simply fought in exchange for stipends, guns, or ammunition as it became the only means for them to make a living. For example, in al-Jawf, Sheikh Saleh bin Saud lost four of his sons, two fighting for the Houthis and the other two fighting for government forces. "They fought because they were given guns and ammunition, which helped them financially. They fought because they were too poor and

needed the money," said another sheikh from al-Jawf.[16]

4. **Settling political scores:** Former President Saleh's support for the Houthis was instrumental in giving the rebels access, as sheikhs loyal to Saleh facilitated their entry into areas like Amran, Baydha, Marib, and al-Jawf in 2014 and 2015. Those sheikhs were under the impression that the Houthis were merely the face of a military offensive that would restore Saleh to power.[17] In al-Jawf, Baydha, and Marib, most tribal leaders affiliated with the Houthis used to be GPC leaders who lost their influence in the governorate when Saleh was ousted in 2011.[18] These past betrayals undergird the individual motivations of many. Some tribesmen and tribal leaders also fought against the Houthis because they are members of the Islah party, which is influential in Hadi's government.[19]

5. **Resentment of the Saudi-led coalition:** Some tribesmen joined the Houthis out of a resentment toward the Saudi-led coalition because the Houthis presented themselves as defenders of Yemen's sovereignty. Coalition airstrikes have repeatedly killed civilians in tribal areas, fueling this resentment.[20] This is especially true in areas like Sanaa, Amran, al-Jawf, Hajja, Saada, and Serwah in Marib, where intense airstrikes have displaced thousands of families and destroyed homes and farms, depriving tribesmen of their livelihoods.[21]

Mitigation Measures

Despite their political divisions, leaders and members of tribes maintain good relations and have mutual respect for one another. This attitude, which is rooted in tribal culture, has helped limit the spread of violence within tribes and maintain social cohesion despite individual-level divisions and violence. Specifically, tribes have assisted in the exchange of thousands of prisoners, facilitated access to roads and services, protected private and public property, and offered protection for civilians and tribal members regardless of their affiliation. This section will outline several measures the tribes

have taken to mitigate the impact of the war and internal divisions on their cohesion.

Insulating Tribes from Politics

Tribal leaders and members from the same tribe can choose to support opposing sides of the war. Political positions are individual, not collective, by nature. "To the tribes, the principle is that tribes [as units] should not be involved in political and partisan conflicts, that every member of the tribe is responsible for his [political] choices, and that the tribe should not be held accountable for their members' choices."[22] "Tribes adopted this code since 2011," said a tribal leader from Baydha.[23] That year witnessed the beginning of the Arab Spring in Yemen, which deepened political divisions in the country, leading to violent clashes in the capital of Sanaa and tribal areas like al-Jawf and Marib. This code became more widely enforced in response to the current war. "Tribes pre-emptively addressed their divisions by creating a basic rule at the beginning of

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> **As entities, tribes are generally apolitical. They act based on their immediate community interests. As individuals, members of tribes are free to choose who they want to support and fight for.**

Photo above: A combatant mans a heavy machine gun as forces loyal to Yemen's Saudi-backed government clash with Houthi rebel fighters in al-Jadaan, about 50 kilometers northwest of Marib, on November 22, 2020. Photo by AFP via Getty Images.

"Despite taking different sides, loyalty to one's tribe and the overall interests of the tribe often supersede personal political affiliation."

"When facing an outside threat, the default reaction of Yemen's tribes is to freeze the conflicts they have among themselves. This limits the ability of outside actors to capitalize on tribal conflicts."

the war. Those who fight with the legitimacy [government] belong to the legitimacy, the good and the bad, the gain and the loss. Those who stand with the Houthis belong to the Houthis, the good and the bad, the gain and the loss. Tribes are not responsible for the choices of their members," said a civil society leader from al-Jawf. By this rule, the tribes relinquish their responsibility to protect or avenge their members who are killed while fighting for either side.[24] Despite taking different sides, loyalty to one's tribe and the overall interests of the tribe often supersede personal political affiliation. In the al-Awaleq tribe in Shabwa, for example, prominent sheikh Saleh bin Fareed al-Awlaqi, an STC member, stood with the local authority loyal to the Yemeni government and urged his tribesmen not to fight with the STC against the government.[25] Al-Awlaqi did not want Shabwa to turn into a conflict zone between Hadi's government and the STC.

Freezing and Resolving Tribal Conflicts

When facing an outside threat, the default reaction of Yemen's tribes is to freeze the conflicts they have among themselves. This limits the ability of outside actors to capitalize on tribal conflicts to divide and conquer the tribes. It also minimizes the potential for political violence to instigate or exacerbate tribal conflicts. Dealing with the incoming threat becomes a priority that requires the unity of the tribe.[26]

When the Aal Awadh tribe in Baydha revolted against the Houthis in the spring of 2020, a prominent sheikh from the tribe Yassir al-Awadhi called upon tribes from Baydha and other areas to support him. The Baydha tribes mobilized to support Aal Awadh and agreed to put their vendetta and conflict on hold and focus on facing the Houthi threat.[27] "Those tribes united despite the fact that revenge killings [among them] have eaten [killed] their best men for years," said Amer al-Humaiqani, the spokesman for the tribal resistance of Aal Humaiqan, a subtribe in Baydha.[28] "Kudos to the tribes from all 20 districts of Baydha, from Marib, from al-Jawf, from Dhamar, even from Saada who responded to our call. They forgot everything [their revenge and conflicts among them]," said Sheikh Yassir al-Awadhi

while receiving a delegation of tribal leaders and tribal fighters in Baydha.[29] "Even al-Majaneh and Bani Wahb [tribes] honored our call regardless of the conflict and blood [revenge killing] between us," said Yassir al-Awadhi in a recorded call with a Yemeni government official.[30]

In al-Jawf, fighters from the Hamdan and al-Shulan tribes fought on the same side despite a cycle of revenge killings between them that has lasted for almost 40 years and has claimed the lives of more than a hundred tribesmen since the mid-1980s. During the fighting between tribes and the Houthis in al-Ghail district in early 2020, Sheikh Sadeq al-Ukaimi, the son of al-Shulan's sheikh and governor of al-Jawf Ameen al-Ukaimi, and Sheikh Yehya bin Abdullah Hizam from Hamdan all fought together.[31] The Dhu Hussain and Dhu Mohammed tribes put their conflict on hold and tribesmen from both tribes fought together as well. "Before, we were unable to even cross into each other's territory. Now I am from Dhu Hussain and most of my guards and fighters are from Dhu Mohammed. You see the same thing with tribesmen who are also fighting with the Houthis," said a sheikh from al-Jawf.[32]

The threat of the war has also motivated some tribes to resolve longstanding conflicts altogether. For example, in 2018, mediation by Sheikh Hassan bin Ghuraib, a prominent leader from the Abeeda tribe in Marib, led to the settling of a vendetta between the al-Damashiqah and Aal Ma'aili subtribes of the Abeeda tribe. The conflict had lasted for over 40 years, leaving hundreds of tribesmen dead and obstructing the use of land.[33] During 2018-19, several vendettas in Marib and al-Jawf were resolved as a result of tribal mediation as well.[34] "The wounds of the war and the bleeding motivated the tribes to mend fences and be more compassionate towards each other," said Sheikh Alawi al-Basha, a prominent sheikh from Marib.[35]

Withdrawing Fighters from Towns

Although immensely challenging, tribal mediation can sometimes spare towns from fighting. An example to highlight this comes from al-Motoon, a city that is home to about 50,000 civilians, mostly from the Aal Hamad tribe, in al-Jawf governorate. Between 2015 and 2020, the Hadi government and the Houthis fought to capture the city. Civilians were killed by shelling, airstrikes, and snipers. Farms were burned as a result of the intense fighting. Normal life stopped and many families were displaced.

A mediation effort was spearheaded by Abdrabuh al-Shaif, a Yemeni American who comes from a respected tribal family from the prominent Daham tribe in al-Jawf. Al-Shaif reached out to tribal leaders on both sides, including some sheikhs from al-Motoon who live in Sanaa. "I don't like the Houthis and everyone knows that, but when it comes to tribes we all can agree to protect our areas from violence," he said. Al-Shaif also reached out to the commander of the Sixth Military Region on the government side, who talked to the chief of staff. After two months of negotiations, an agreement was signed by sheikhs on both sides on Oct. 25, 2017.[40] The agreement was to remove fighters and withdraw weapons to the mountains away from the city. Al-Shaif also reached out to the coalition, which agreed to halt airstrikes. Al-Shaif said that the agreement was not implemented in full because the Houthis refused to withdraw their weapons. However, since the agreement was signed, fighting has stopped inside the city and there has been a significant reduction in civilian casualties and harm to farms and markets.[41]

Keeping Tribal Areas Off Limits to the Conflict

While taking sides in the war is a personal choice, tribesmen are expected to set aside their political loyalties once they enter their tribal territory. As part of this arrangement, tribesmen are not to cross or retaliate against their fellow tribesmen who support or fight with the opposing side. In early 2016, a prominent sheikh of the Khawlan tribe in Sanaa, Mohammed Naji al-Ghader, gathered other sheikhs from the tribe and agreed with them to protect their area from becoming a warzone. "Those who want to fight with the Houthis can go to Sanaa. And those who want to fight with the legitimacy [government] can go to Marib. No one should ever fight in Khawlan," al-Ghader said. He asked them to take a lesson from Serwah, which became an intense battleground because its people decided to fight with the two sides in the conflict inside their territory. "Don't allow them to bring the fighting into our land," he warned the sheikhs.[36]

This rule helped the tribes to ensure that their political divisions do not cause internal fighting and destabilize their areas. In the Bani Nawf tribe of Almasloob district in al-Jawf, until the Houthis controlled the governorate in March 2020, tribal leaders and fighters on both sides commuted between their homes and the frontlines. "They can leave the district and go to fight then come home and no one would stop them because it has become the rule in this tribe. The district belongs to everyone. Fighters should leave their biases at the frontlines before they come home," said a tribal leader from al-Jawf.[37]

Tribal leaders hold those who violate this rule accountable. When the Houthis took control of al-Hazm city in 2015, they killed two tribesmen from Hamdan. When government forces took back al-Hazm in 2016, a group of tribesmen from Hamdan ambushed a truck full of Houthis and killed everyone in it in retaliation. It happened that there was a tribesman in the truck from Hamdan. The men responsible for the killing were summoned by their tribal leaders. The tribal leader who arbitrated the case asked them to swear that they did not know that there was a member of their tribe in the truck with the Houthis when they ambushed it. The men swore under oath they did not, which under tribal terms indicated that they did not intend to kill him. By doing that, the tribe avoided the potential revenge killing this incident might have otherwise caused.[38]

"Tribal protection allows members to live in their homes, use their farms, and access communal resources regardless of what side of the war they support."

Tribal protection allows members to live in their homes, use their farms, and access communal resources regardless of what side of the war they support. This norm helps tribes stay resilient and secure. In al-Jawf, Sheikh Ahmed Hizam from the Hamdan tribe sided with the Houthis, and they appointed him as the director of their health office in al-Jawf. He was in Sanaa and on the government's wanted list. When he fell out with the Houthis in early 2020, he contacted sheikhs from his tribe, who helped him travel abroad to escape the Houthis, and then sent him tribal escorts to guard him on his trip from the airport to al-Jawf so that he was not captured by the government. Thanks to the protection of his tribe, he was able to go back to his home and his farm without prosecution by the government. When the government was in control of al-Hazm, he was under the protection of his tribesmen who were pro-government. When the Houthis took control of al-Hazm in March 2020, he came under the protection of his tribesmen who are pro-Houthi.[39]

Exchanging Safe Passage

Some tribes also negotiated safe passage agreements with conflict actors, stating that they will give any party the right to travel on the main road running through their territory in exchange for sparing their areas from violence. At the outset of the war, several tribes kept their areas neutral by negotiating with the warring parties. For example, when the Houthis marched their forces into Baydha in 2014, several tribes including al-Arsh, Sabah, and al-Riyashiyah negotiated agreements allowing the Houthis passage on the road that runs through their land. In return, the Houthis were not to establish checkpoints or use their territory to launch offensives against other tribes.[42]

When the Houthis approached al-Khalaq district in al-Jawf in 2015, the sheikhs of the al-Foqman tribe agreed that they would not block them or others from using the road that runs through the districts toward al-Hazm city, the capital of the province. The sheikhs forbade the Houthis or government-aligned forces from fighting in the district, and the agreement still holds. Members of the district aligned with different sides in the war have lived there in harmony

since 2011 regardless of who controls the governorate.[43] When the Houthis took control of al-Ghail district in al-Jawf in March 2020, tribal sheikhs from al-Salamat area, located between al-Ghail district and al-Hazm city, made a similar agreement with the Houthis.[44]

Standing Down in Exchange for Amnesties

Tribal leaders, irrespective of their own allegiances in the conflict, will use their leverage with the side they are on when it prevails militarily to help tribal leaders who support the opposing side. For example, when the Houthis approached al-Hazm city in March 2020, Sheikh Mansoor al-Iraqi, who is from Hamdan and affiliated with the Houthis, communicated with sheikhs affiliated with the government to stand down. As it became clear that the Houthi capture of the city was inevitable, sheikhs from Hamdan ensured there was no resistance from their tribes against the Houthis. They also ensured that government forces left al-Hazm city before the Houthis entered so that no fighting would take place between the two sides in their district.

When the cities of Hareeb and Baihan were liberated from the Houthis in early 2018, Sheikh Mufarreh Beheibeh, a prominent tribal leader and military commander of the 26th Brigade that carried out the operation, acted as a mediator to curb any potential retaliation from those who sided with the Houthis. He reached out to sheikhs from both sides and negotiated an agreement with them whereby local leaders would refrain from fighting the government on behalf of the Houthis, in exchange for amnesty. His effort prevented potential retaliation that would have sparked tribal conflicts. Because of his intervention, the two areas have been stable and safe since 2018.[45]

De-escalating Tensions

Despite these aforementioned steps, political divisions sometimes spin out of control. For example, tensions between the local authority and the STC in Shabwa almost triggered a revenge killing between the Shabwa governor's clan, Aal Edew, and the Aal Marim

and Aal Mejawer. The three clans are from the Laqmoosh tribe. The conflict started in early 2020 when pro-STC tribesmen from the Aal Marem clan attacked a military camp in al-Aram, during which two of the attackers were killed. Because the governor represents the government, some members of Aal Marem and Aal Mejawer attacked his home in retaliation, injuring his brother. Aal Edew responded by bombing the Aal Marim's area, injuring a girl, and heavy clashes erupted. Alarmed by the escalation, several leaders from other tribes, including the Bakazim, al-Babakri, and bin Othaimeen, immediately intervened to stop the conflict. They set up a tent between the fighting parties where a committee of mediators sat and then sent delegations to both sides to negotiate a truce.

Sheikh Salem Bu Jahel, the tribal guarantor who represented Aal Marim, presented his son as a "hostage" to Aal Edew, while Sheikh Mansoor Lahtal, the tribal guarantor who represented Aal Edew, presented his son as a "hostage" to Aal Marem in return. This tribal practice of "hostage offering" is a symbolic gesture that represents two important aspects of tribal honor. On the offering side, it symbolizes a genuine expression of apology for the wrongdoings committed and a willingness to offer any amends required. The receiving side demonstrates their tribal honor by accepting the apology and refusing to take the hostage as a token of hospitality and respect.[46]

Delegations from the mediation committee went separately to Aal Edew and Aal Mare and offered *ta'asheerah*, a term that describes the practice of slaughtering a camel and firing bullets in the air. This act is a show of respect to the tribe, indicates acknowledgment of wrongdoing, and asks the tribe to accept mediation and a resolution to the conflict. In return, and to prove their generosity and honorable qualities, both clans fired bullets in the air, which indicated they honor and accept the mediation committee. As a result, the two clans forgave each other, and the conflict ended within the same month it began.[47]

Opening Safe Routes for Civilians

Tribes also play a critical role in moving civilians away from areas of fighting. In the district of Serwah in Marib, an active frontline between Houthi and government forces, tribal leaders have acted swiftly to protect civilians at the first sign of fighting by negotiating with both sides for a brief cease-fire. Tribal leaders succeed most of the time in these initiatives.[48]

Tribal leaders who take the initiative to facilitate such evacuations usually contact influential tribal leaders on both the Houthi and government sides, who then negotiate a short cease-fire to allow civilians to leave.[49]

In July 2019, civilians in Marib were trapped in clashes between security forces and local tribesmen. Ali al-Musallal, a local community leader, had to host and take care of over 200 IDPs, mostly women and children, who fled the fighting and came to him for shelter. After two days of providing food and shelter for the displaced civilians, al-Musallal's family started to run out of supplies and could not resupply because of clashes in the area. He then successfully negotiated safe passage for the IDPs, who were relocated to IDP camps by the local authority.[50]

Reopening Roads

Tribal mediation sometimes successfully reopens roads blocked by the fighting. For example, in May 2019, fighting between government and STC forces in Abyan blocked the main road, preventing civilian and commercial traffic, including basic goods, from moving between Aden, Abyan, Shabwa, Hadramout, and Mahra. Sheikhs from the al-Maraqisha tribe in Abyan formed a mediation committee of prominent leaders, including Badr Nasser al-Marqashi, Faisal Bal'ieedi, and Hassan Fadhl al-Marqashi. The committee initiated negotiations with leaders and field commanders from both the government and the STC to pressure them to open the road. Initially the mediation yielded a short-term truce that allowed travelers to pass during certain hours on specified days. By mid-June, the mediation efforts had resulted in an agreement to keep the road open all day.[51] The agreement still holds despite occasional breaches by fighting parties.[52]

Facilitating Prisoner Exchanges

Thousands of prisoners of war and civilians have been released in prisoner swaps between the Houthis and the Yemeni government and directly between the Houthis and the tribes through tribal mediation since 2015.[53] Tribal mediators negotiate with the parties involved and, in the process, document specific details including names, numbers, and status (e.g. injured, civilian, or combatant).

Photo right: Yemen's foreign minister, Khaled al-Yamani (L), and the head rebel negotiator, Mohammed Abdelsalam (R), shake hands under the eyes of U.N. Secretary-General Antonio Guterres (C), during peace talks in Sweden, on December 13, 2018.
Photo by JONATHAN NACKSTRAND/AFP via Getty Images.

> "The involvement of several national, regional, and even international actors makes it difficult for the tribes to carry out and maintain de-escalation efforts."

Prisoner exchange is a highly sensitive issue and negotiations can collapse if politicized. Reaching an agreement takes extensive shuttle diplomacy between the parties, and sometimes mediators are accused of bias, which puts considerable pressure on them. Exchanges are most successful when they are negotiated informally.[54] Tribal negotiations also help arrange the recovery of bodies of dead fighters from the frontlines. Hadi Juma'aan, a young tribal leader from al-Jawf, alone has mediated over a thousand such recoveries since 2015.[55] In March 2021, a tribal mediation led to the recovery of the bodies of around 250 Houthi fighters from Marib.[56]

Key Challenges

The involvement of several national, regional, and even international actors makes it difficult for the tribes to carry out and maintain de-escalation efforts. This section highlights some of these challenges:

U.N. Interference with Tribal Mechanisms

Since 2015, thousands of prisoners from both sides have been released through tribal mediation. Prisoner swaps are usually negotiated by tribal leaders who are viewed as neutral. According to a tribal leader from Serwah, if the Houthis or the government intervene in the process, things get politicized and that obstructs the efforts of tribal leaders to release prisoners.[57]

Amatassalam al-Hajj, the head of the Mothers of Abductees Association, a women-led organization whose efforts have led to the release of over 650 civilian abductees by the Houthis and other forces, warned that the Stockholm Agreement between the government and the Houthis brokered by the U.N. in December 2018 led to the politicizing of prisoner exchange efforts. She stated that the agreement also did not distinguish between civilian abductees and prisoners of war, which undermined efforts to protect civilians.[58] Sharing her frustration, Sheikh Naji Murait, a tribal leader who was involved in tribal mediations that led to the release of over 2,500 prisoners, said his efforts to negotiate exchanges have come to a screeching halt as a result of the Stockholm Agreement. Parties to the conflict refused to cooperate with him because they are now committed to exchange prisoners through the U.N. special envoy's mechanism.[59] The agreement stated that all prisoners on both sides should be exchanged, thus giving the U.N. a monopoly over the process. This obstructed many exchanges that used to happen locally and at the frontline level by local mediators, according to several mediators the author spoke to.[60]

Houthi Subjugation of Tribes

Tribes in Yemen have usually maintained a cooperative relationship with the central government, yet they also retain a level of autonomy that protected them from state repression. In their bid to solidify power, the Houthis, however, have relied largely on two main methods: establishing the dominance of Hashemites over power and resources and subjugating the tribes, taking away their autonomy and ability to make decisions that affect them, thus relegating them to a subordinate status.[61] At the governorate and district level, Houthi supervisors (*moshrifeen*), who are mostly Hashemites and come from the northern governorates of Saada and Hajja, hold power over the local authorities, security and justice institutions, as well as over tribes. Their role is to keep the tribes in check and report any potential discontent or rebellion. They even decide who mediates tribal conflicts, thus gradually stripping sheikhs of their traditional role in providing justice. Over the past six years, tribal leaders have lost power and influence as they have been sidelined by Houthi supervisors.[62]

More alarmingly, the Houthis have systematically worked to dismantle the tribal structure in areas they control. They provide loyal figures in the tribes with money and resources to compete with and diminish the status of tribal leaders who do not cooperate with them.[63] To undermine sheikhs of questionable loyalty, the rebels have also created new sheikhs, sometimes from among younger tribal leaders, supporting them with guards and weapons so they can establish influence by solving problems in their communities.[64] The Houthis built a highly securitized repressive system using violence to quell any tribal opposition, real or perceived. Using heavy-handed tactics, including executions, forced disappearances, torture, and the destruction of the homes and property of tribal leaders, they managed to snuff out tribal opposition in areas they control.[65] Over 40 tribal leaders have been executed or assassinated by the Houthis since 2015, many of whom initially helped the rebels take control of Amran and Sanaa in 2014 and recruited fighters for them in the following years.[66] As a result, tribes in these areas have lost much of their influence and ability to make decisions that affect them.[67]

Houthis Violating Tribal Agreements

The Houthis have reneged on the majority of agreements with tribes. Despite granting amnesties, they have executed, arbitrarily abducted, and destroyed the homes and farms of tribal leaders and tribesmen at any sign of opposition or even discontent.[68] When they offered an amnesty to tribes who fought with the government to come back to al-Hazm city in April 2020, many did not return despite the guarantees their tribal leaders who are with the Houthis provided, as they feared the Houthis would not honor the agreement.[69]

This pattern has repeated itself in several places. For example, in late 2014 in the village of al-Zouab in Baydha, local dignitaries reached an agreement with the Houthis whereby the tribes committed not to stop or target the Houthis while they use the road that runs through the tribe's territory. In exchange, the Houthis agreed not to use the village for military operations. The Houthis violated the terms of deal when they started setting up checkpoints and stationing their fighters around the village, and this was interpreted by the tribes as an offensive act. They reacted by bombing a Houthi military vehicle that entered the village uninvited. In turn, the Houthis responded by besieging and bombing the village with heavy weapons, causing significant damage. In total the Houthis committed more than 950 documented violations against the village between 2014 and 2017, including abductions, forced disappearances, destruction, and looting.[70] This led to intense fighting that lasted until March 2018, when tribal mediation succeeded in ending hostilities.[71] The agreement fell apart in September 2020, however, when the Houthis carried out raids, abducted dozens of tribesmen, and blew up the homes of suspected opponents.[72]

In 2015, the Houthis attempted to capture Qaniya, south of Marib. Alarmed by the situation, Sheikh Ahmed al-Ajji al-Talebi, a prominent 80-year-old tribal leader from the Murad tribe in Marib, met with Houthi leaders in Sanaa and agreed to a cease-fire, based on which the Houthis withdrew from the area and Qaniya would remain under the control of the al-Sa'aterah tribe (of which al-Ajji was the sheikh). As part of the agreement, the tribes did not allow government forces to enter the area.

When Sheikh al-Ajji died in mid-2017, the Houthis started recruiting members and youth from al-Sa'aterah tribe, sent them for religious

education, and provided them with guns and money. They also advanced and took control of the strategic al-Orr and al-Mas'oodah mountains that overlook Qaniya. This act was viewed by al-Ajji Ahmed al-Ajji, who became sheikh after his father died, as a breach of their agreement. Sheikh al-Ajji sent a messenger to the Houthis to warn them that their advance and recruitment among his tribe was a violation of the agreement they signed with his father, but the Houthis refused his request.[73] As a result, fighting resumed and Qaniya became an intense frontline.

External Actors Hijacking Tribal Decisions

Because of the involvement of outside actors, both Yemeni and regional, the decisions of the tribes are not entirely localized anymore. With outside actors controlling the military dynamics, the tribes near frontlines lost their ability to control the use of violence in their areas. For example, after the Houthis captured Qaniya in June 2020, the Bani Abd tribes realized they were no match for the rebels. Prominent sheikhs from the tribe met with Houthi representatives to negotiate a cease-fire stipulating that the Houthis would not attack al-Abdiyah district, would reopen the road between al-Abdiyah and Qaniya, and allow the Bani Abd tribes to travel to the Qaniya market unharmed. In return, they would not allow government forces to use their territory to mobilize against the Houthis. A local tribal source said that their effort failed as military commanders associated with Islah leadership who have heavy influence on the army refused the initiative.[74]

Similar concerns have also been raised about the role of the Saudi-led coalition, particularly the UAE. Clashes broke out between the Yemeni government and the STC in Shabwa when the UAE-backed Shabwani Elite Forces (SEF) entered the city of Ataq, the governorate's capital, in June 2019. Several tribal leaders, including Sheikh Fareed bin Saleh al-Awlaqi, Ahmed Musa'id, and Ali Bajeedah, rushed to contain the situation. They proposed that all sides withdraw to their earlier positions and remove their heavy

weapons from Ataq city. Their mediation helped to diffuse tensions, but this was short lived and rumors spread that the Emiratis, who commanded the SEF, subverted the mediation process and ordered the SEF to fight pro-government forces, according to a local source interviewed. This led to clashes in which the SEF were defeated.[75]

Can the Tribes Mediate the War?

There is a growing belief among tribes that they are trapped in a war of attrition. In the north, many tribes have been pressured and, in some instances coerced, to recruit fighters for the Houthis.[76] In the northeast, tribes resisting Houthis incursion into their areas have not received enough support from the Yemeni government and Saudi-led coalition to push the Houthis far enough back to eliminate their constant threat to the tribes.[77] There is a strong desire among the tribes to see the war end to get out of this vicious cycle. Tribal leaders, however, do not have the leverage or influence to pressure the main conflict actors to end the war. Tribal mediation is most

Photo above: Armed members of the Houthi rebel movement ride a vehicle during a funeral procession held for Houthi fighters who were allegedly killed in recent fighting with Saudi-backed Yemeni government forces. Photo by Hani Al-Ansi/picture alliance via Getty Images.

effective at the local level where the tribes have more authority. As many active frontlines fall within tribal territories, tribes can contribute to local cease-fires, but the tribal system has significant limitations in dealing with national-level political conflicts.

Tribal leaders interviewed by the author said tribes can help with the implementation of a national cease-fire agreement, but stressed that it is possible only if conflict parties demonstrate a genuine commitment to end hostilities. If that commitment exists, tribes can help translate local cease-fires into actionable steps toward de-escalation. For example, they can work with other tribes to pull fighters from conflict zones to establish buffers, facilitate the flow of humanitarian aid, mediate the exchange of prisoners, evacuate civilians, and help document civilian harm and damage to civilian property.

When asked what an acceptable political agreement would look like, most tribal leaders maintained that it must factor in the interests of

the tribes and respect their dignity. Tribal leaders interviewed say they want to see an agreement that guarantees the tribes the right to go back to their homes, to reclaim their land and property, and to be protected from Houthis prosecution and the manipulation of other national conflict actors.[78]

Although they agree that they can help in cease-fire and de-escalation efforts in principle, tribal leaders mentioned a few risks to their involvement and highlighted potential harm that the current U.N.-led political negotiations could cause, including the following:

Risk to Credibility and Safety of the Tribes

Engaging in de-escalation without genuine commitment from the main parties to the conflict can carry risks for the tribes. Tribal leaders' involvement in negotiating cease-fires implies their

approval of the mechanism. By becoming part of the process, they become responsible for what it leads to, both in their own eyes and in those of other tribes. According to the tribal system, they are also responsible for enforcing the implementation of any agreement they serve as guarantors for. While it is normal that cease-fires do not hold immediately, if violations persist, tribal leaders will be held accountable for the damage done (e.g., civilians killed, infrastructure and homes destroyed, etc). "They become responsible for the blood [spilled]," as one tribal sheikh puts it. This undermines trust in tribal leadership and the credibility of tribal mechanisms. Worst yet, it can also risk dragging their tribes into a cycle of violence and revenge killing as affected tribesmen can seek revenge for damages incurred.[79]

Consolidating Houthi Military Gains at the Expense of Tribes

Tribal leaders from Marib and al-Jawf, where the fighting has been raging since early 2020, warned that a cease-fire under the current circumstances will only consolidate the Houthis' military gains at the expense of the tribes. Several tribal leaders mentioned that the Stockholm Agreement, for example, reduced military pressure on the Houthis in Hodeida, allowing them to regroup to make major military gains, capture tribal territory east of Sanaa, and threaten Marib city. The Joint Declaration (JD) proposed by the U.N. special envoy fails to factor in the current military situation, whereby the Houthis have the upper hand and are unwilling to de-escalate. If implemented, as argued by MEI's Ibrahim Jalal, the JD "will normalize the role of the Houthis insurgency … reduce their incentive to engage in negotiations in good faith, and keep Yemen in a medium-term fragmentation trap," which will threaten both the tribes and the prospects to end the war, much less achieve peace.[80]

Reinstating the Traditional Elite

At a broader level, tribes have concerns that the current U.N.-led negotiation process will lead to a political settlement that would reestablish the dominance of the traditional corrupt and self-serving political elite. The Houthis are viewed by the tribes as an extension of the Imamate that subjugated them for hundreds of years. The Hadi government is also perceived among the tribes as having been captured by the corrupt national political elite who are profiting from the war at the expense of the tribes and Yemen in general. They want to see a political agreement that ensures a federalized form of governance where tribal areas are run by local government. This would help end the cycle of marginalization by the central government that these areas have endured for decades.[81]

Conclusion and Recommendations

This paper sought to explain the opportunities, limitations, and risks of engaging Yemeni tribes in cease-fire and de-escalation efforts. The tribes are caught in a complex and multilayered conflict where national and regional actors have sought to use them to achieve their agendas, which are not necessarily in line with the interests of the tribes.

Building on their indigenous peacebuilding mechanisms, the tribes developed several codes to reduce the negative impact of the war on their security and social cohesion. Tribal mediations helped limit the spread of violence, secure towns, open roads, exchange prisoners, and provide safe passage for civilians. Tribal mediation can potentially help support the implementation of a national cease-fire. There are several important caveats before considering engaging the tribes in a cease-fire mechanism, however. First, the tribes are unable to pressure or influence the Hadi government or the Houthis to accept a cease-fire. The success of their involvement, or lack thereof, depends entirely on the commitment of the main sides to a cease-fire and de-escalation. Second, tribal mediation is only effective at the local, and not the national, level. Recognizing this limitation is key to design interventions that can engage the tribes to support de-escalation and cease-fire efforts while making sure to do no harm.

In order to incorporate and capitalize on tribal de-escalation mechanisms, the following steps should be taken:

> **A political settlement under the current conditions will only normalize Houthi gains ... [and] weaken the ability of the tribes to maintain order and security in their areas.**

1. **Incorporate the perspective of the tribes in the peace process:** The U.N special envoy and U.S envoy to Yemen should meet with tribal sheikhs as well as local authorities and society leaders in tribal areas and incorporate their perspective on the current international efforts to end the war. Efforts toward peace can only be effective if they are inclusive of the various Yemeni actors, including the tribes. The envoys should strive to meet them in Yemen, but many tribal leaders also split their time between Yemen, Saudi Arabia, Jordan, Egypt, and Oman.

2. **Do not force a political settlement when conditions are not attainable:** A political settlement under the current conditions will only normalize Houthi military gains, lead to a spread of violence, and further weaken the ability of the tribes to maintain order and security in their areas. Until a cease-fire is reached and respected by all parties, efforts by the international community should focus on de-escalation where feasible and mitigating the impact of the conflict on Yemenis rather than a political settlement that will likely backfire.

3. **A political solution should be based on decentralization:** A political solution in Yemen will materialize only if it reflects the aspiration of Yemenis for a fair distribution of power and resources and an end to the cycle of national elite capture of institutions. It should lead to a decentralized form of governance where local authorities maintain a real degree of autonomy and ability to manage local resources and finances. The tribal areas of Marib and Shabwa are a good example where the local authorities, with the help of the tribes, managed to provided services and security that made the two areas safe refuge for millions of civilians who escaped violence ravaging other parts of the country. That was only possible because the central government's monopoly on decision making and the use of resources weakened during the war.

4. **Do not interfere with tribal mediation:** If the main parties are genuinely committed, tribal mediation will fit in naturally alongside official mechanisms because parties in Yemen, including the Houthis, use tribal mediation to negotiate disputes. The U.N.'s role should be limited to pressuring the main parties to the conflict to follow through with their commitments to the cease-fire. For example, if the main parties agree with tribes to de-escalate in an area, open a road, or remove fighters from a town, the OSESGY can support that effort by putting pressure on the Houthis and the government to respect that deal. The U.S and the international community should support humanitarian aid to communities where de-escalation is taking place. Beyond that, tribal mediation should remain informal and the OSESGY, donors, and international organizations should steer away from interfering with it.

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