



INDEPENDENCE OR FRONT LINES

SECURING SOUTHERN REPRESENTATION IN YEMEN'S PEACE TALKS



This article addresses the rise and consolidation of Yemen's Southern Transitional Council and their push to join the Yemeni peace process.

FAGFELLEVDERT ARTIKKEL *av* ROBERT FORSTER

ESTABLISHED IN MAY 2017, the Southern Transitional Council (STC) emerged as one of the most conspicuous actors in Yemen's civil war. The conflict entered its most recent phase in March 2015, following a military intervention by the Saudi-led Arab Coalition at the bequest of Yemen's President, Abd Rabbu Mansour Hadi. In the first few years of fighting between 2015 and 2017, alignment with the Southern Resistance empowered President Hadi against their common enemy, Ansar Allah, also known as the Houthi Movement.^{1&2} However, the "marriage of convenience" between Hadi and the South was called into question with the formation of the STC, the purpose of which – "rebuilding the independent federal national state of [South Arabia]" – is anathema to the aims of the Hadi government.³

The STC has woven a complex discourse around their dissidence. Narratives include historical injustices in the South at the hands of Northern rulers, the cost of sacrifice borne by So-

utherners for the "Southern Cause", the fight against terrorism (including the Muslim Brotherhood-affiliated Islah Party), and the lack of other strong governance actors in Southern Yemen. Tensions between the Hadi government and the STC since 2017 manifested in the form of sporadic armed clashes, and on two occasions – in January 2018 and August 2019 – STC-aligned militias captured multiple military bases and several neighbourhoods in Yemen's interim capital, Aden. According to the UN Panel of Experts' report on Yemen, the STC is "the primary source of opposition to the [Hadi government] throughout the southern governorates".⁴

Although the STC has proved itself capable of mobilising militarily and politically, for two years the organisation was unable to translate these abilities into participation in peace talks. Peace negotiations in Yemen between 2015 and 2019 remained limited to the Hadi government, on the

STC soldier in Aden.



one side, and Ansar Allah, on the other. Southern actors were largely excluded. This lack of representation was much lamented by Southern Yemenis and international commentators alike, many of whom argue that exclusion could sow the seeds of a new conflict.⁵ In this paper, I take a critical view on how the STC emerged and consolidated itself over the course of an evolving conflict and investigate potential barriers to inclusion present on the micro and meso levels (organisational and regional levels), thereby contributing to existing research on Yemen's peace process.⁶

The case of the STC provides a strong case study for the difficulties faced by structured formal peace processes when contending with “moving targets” such as the emergence of new insurgent groups. I contend that the STC's place at the table is complicated by three factors. First, on the or-



The Southern Transitional Council was created in May 2017 by a splinter faction of the Southern Movement.



ganisational level, there are ambiguities in the STC's institutional capacity. Second, the STC faces political challenges to their claim to be the torch-bearer of the “Southern Cause”. Third, the regionalisation of Yemeni politics erodes the ability of governance actors, particularly non-state actors, to extend their reach beyond Yemen's major cities. Beyond pre-existing structural limitations in the current UN-led peace process, these micro- and meso-level factors challenge the STC's narrative of being a coherent actor with “veto player” status in Southern Yemen.⁷ Thus, despite the impact of the STC on national-level issues – as a member of the anti-Houthi coalition

and as a challenger to the Hadi government's sovereignty – their options for securing a seat at the negotiating table was limited. In this context, seizing the interim capital, Aden, and denying the Hadi government the “infrastructure of governance”, as well as the last symbol of its rule in Yemen,⁸ provided the leverage needed for the Council to gain representation.

BUILDING A SOUTHERN STATE

The STC was created in May 2017 by a splinter faction of the Southern Movement, an organisation formed in 2007 to counter the marginalisation of former Southern officials after the 1994 civil war.⁹ Despite an active political presence and the launch of an insurgency in 2009, the Southern Movement struggled to be heard at the national level, even after the 2011 protests that led to the 2012 negotiated transfer of power from the late President Ali Abdullah Saleh to former Vice President Hadi. Consisting of some 15 “wings”, the Southern Movement suffers from a multiplicity of leadership that allowed non-Southerners to pit Southern factions against each other.

As argued by Fu'ad Rashid of the Supreme Council of the Revolutionary Movement for the Liberation and Independence of the South (a Southern faction not allied with the STC), without consolidation between its diverse factions, the Southern Movement cannot “impose a new equation” and join the peace process as a formal participant.¹⁰ The STC attempts to overcome this weakness by presenting itself as “the leading framework for the cause of the people of the South”.¹² According to STC officials, the Council is not a political party.¹² Instead, it seeks to fill the political vacuum in the South and “incubate political leadership”¹³ as well as form a non-partisan organisation to “link the South to the inter-national community”.¹⁴

According to STC President, ‘Aydrus al-Zubaydi, the existence of the STC “laid the foundations towards crystallising the constitutional foundation of the next state”.¹⁵ The *Historic Aden Declaration*, issued on 4 May 2017, provided the extra-constitutional foundation of the STC. The institution was then further expanded by executive decisions issued by the Presidency Council led by Zubaydi. In addition to the 24-member Presidency of the Council, there are also 12 departments and a legislature with 303 members – the National Assembly.¹⁶ Beyond the role of deliberation, it is unclear to what extent the National Assembly functions as a “check” on the Presidency.¹⁷ On 7 January 2018, the STC’s Director of Information, Lutfi Shatara, announced further plans to establish a 230-member advisory council (not yet established).¹⁸ Macro-institutional development is mirrored in the formation of eight 107-member governorate-level councils, one for each of the eight Southern governorates,¹⁹ the operational guidelines of which are outlined in Decision 11 of 2017. Directorate-level councils consist of roughly 50 members each. However, it is unclear whether these are established by the governorate-level councils or the Presidency Council.²⁰

The STC also established an international presence through the creation of diplomatic offices in Berlin, London, Ottawa, and Washington DC. Between 2017 and 2019, representatives of the STC leadership visited the European Parliament (Saleh bin Fareid al-’Awlaqi, 18 September 2017) and the British Parliament (‘Aydrus al-Zubaydi, 9–10 March 2019) and STC delegations have visited at least half a dozen other cities worldwide. In addition, the Council launched the satellite channels, Aden Independent Channel 1 and 2, and the radio station, Huna Aden. In light of these various measures, the STC appears to be a competent organisation with capabilities that stretch down to the local level, as

well as a comprehensive communication and diplomatic network.

AMBIGUITIES IN THE STATE-BUILDING PROJECT

Spatial ambiguity

Despite the organisational efforts detailed above, the twofold aim of (1) establishing a new and independent state and (2) operationalising a government in the area occupied from STC to 1990 by the People’s Democratic Republic of Yemen (PDRY) is still in the process of implementation. In relation to establishing a new institutional structure, the STC faces challenges on multiple fronts. One indicative example is evident from the STC’s state-building project in Shabwa governorate. Following the inauguration of the governorate-level council in the regional capital ‘Ataq on 6 January 2018, 14 directorate councils were established in quick succession between 11 February and 28 April of that year.²¹ Nonetheless, February 2018 saw clashes between the Shabwa Elite Forces, an STC-aligned militia funded, armed and trained by the United Arab Emirates (UAE), and police in Habban and Rawda.²² The inauguration of Beyhan district council on 24 August 2018 was also disrupted when attacked by “militias connected to the Islah party”.²³ It is worth noting that Shabwa is currently part of the Third Military District of the Yemeni government under the command of Islah party founder and current Vice President of Yemen, Ali Muhsin al-Ahmar.

Such incidents highlight the fiercely contested nature of the spaces in which the STC is attempting to institutionalise. Similar tensions exist elsewhere across the South. In al-Mahra, tensions broke out in Autumn 2017 between al-Sultan bin ‘Issa bin Al ‘Afrar – a founding member of the STC – and other Council members over the issue of allowing the UAE to establish Protection and Emergency Forces in the governorate on the model adopted by the Elite units in Hadramawt and Shabwa. Al ‘Afrar

subsequently left the STC.²⁴ Meanwhile, Hadramawt – the largest and most natural resource-rich governorate in Yemen – treads a fine line between aiming to consolidate its own form of autonomy from the Yemeni government outside of the STC framework and supporting the cause of Southern independence championed by the STC.²⁵ Indeed, although the STC embarked on several high-level visits to Hadramawt’s urban centres, the first directorate-level council, led by Nasib al-’Amiri, was only inaugurated on 24 September 2018 in al-Sawm directorate. In April 2019, local head of the STC, Tahir Baba’ad, was arrested in Seyoun, in what the STC denounced as a “declaration of war” on its organisation.²⁶

It is therefore clear that the STC does not hold a monopoly of power in the areas that it claims to represent. In its bid to govern the political “field” of South Yemen, the STC competes with numerous governance actors. Moreover, as highlighted by Maysa Shuja al-Deen, the Southerners’ bid to return to self-rule is founded on the relatively new idea of a North–South conflict, whereas, North–North and South–South conflicts are largely ignored and forgotten in most contemporary narratives.²⁷ Resistance to the STC, for instance, is in part based on pre-existing tensions dating back to before the 1986 civil war between Southern areas, in which Zubaydi finds his strongholds in the regions of al-Dhalea and Lahj and Hadi has support in the Shabwa and Abyan regions.²⁸ The majority of recruitment for the STC-aligned militias – the Shabwa and Hadrami Elite Forces – also reflects this situation. Indeed, this was a significant element in the resistance to the establishment of the Protection and Emergency Forces in al-Mahra, namely that most recruits were rumoured to be recruited from outside the region.²⁹ Thus, the contested nature and fragmented state of governance in the South is an obstacle that the STC struggles to overcome des-

pite the construction of narratives in which they claim to be supported by large segments of the population.

Institutional ambiguity

Moreover, the STC’s structure as a governance actor is incomplete in the Weberian sense. While the Council embodies executive and legislative bodies established on an extra-constitutional legal framework, the STC lacks capacity in the areas of justice and security. The latter is particularly surprising, considering the militarised nature of the Southern conflict. Nonetheless, STC Vice President Hani bin Brik stated in September 2018 that the STC “does not have any armed forces affiliated with it” – a sentiment repeated by other STC officials.³⁰ Instead, lines of command operate by parallel and informal means: both Bin Brik and Zubaydi are commanders of brigades in the Southern Resistance, a network of militias allied to the Southern Movement, which has its origins in late 2014 when the Houthis began their southern expansion.³¹ Similar modus operandi are evident in the structure and function of the al-’Amaliqah Brigade and Tariq Saleh’s National Resistance, both of which are technically part of the National Armed Forces, but which also operate beyond formal command structures.³² Indeed, in the propaganda that abounds among online reporting on the Yemeni conflict, lines of command are often misunderstood, miscommunicated or intentionally obscured.³³

Other armed groups aligned with the STC are funded by their collective benefactor – the UAE. The Emirati-backed Aden and Lahj Security Belts, as well as the Shabwa and Hadramawt Elite Forces are reported to take orders from the Emirati commanders. Beyond material support, alignment between these militias is further based on: (1) their mutual opposition to Ansar Allah and its expansionist ambitions; (2) opposition to the

Hadi government and Islah; (3) signalling mutual support through speeches, statements and ceremony attendance;³⁴ and (4) the symbolism of the flag of the former PDRY. Indeed, the Aden Security Belt has attacked positions flying the flag of the Republic of Yemen, such as the incident at the Salah al-Din Military College in Aden on 18 August 2018. Nonetheless, while the *Historic Aden Declaration* highlights the partnership of these various forces “sealed in blood and continuing sacrifice”,³⁵ the STC does not appear to have



Many of the founding members of the Council advocated for independence for many years.



created a unified military command in the South, and Southern forces appear unified, rather, by mutual aims and benefactors.

Moreover, the STC has not established its own court system in the areas under its control and founding documents fail to explain the relationship between the STC and existing courts in what is likely to be a hybrid political order. A meeting of judges in December 2017 in Aden highlighted the “difficulties facing the work of the courts and prosecutors such as protection and security”.³⁶ Indeed, following the recapture of Aden in 2015, the judicial infrastructure has been in a poor state of repair, with buildings damaged and gutted, and access limited.³⁷ Moreover, multiple judges were assassinated. The judiciary in Aden also witnessed a series of strikes throughout 2018 and 2019 related to wages and working conditions that created a large backlog of cases.³⁸ A statement issued by the STC on 15 August 2019, includes as part of its national strategy, “Activat[ing] the work of courts and prosecutors, to enhance security and speed up the adjudication of cases before the

courts”. However, in the contested space occupied by the Council it will be difficult to implement the necessary changes in the short or even the medium term.

Political ambiguity

Southern cohesion

STC documentation and statements highlight an enduring legacy of the Southern Movement and its aims in the Council’s current ideals and goals. Many of the founding members of the Council advocated for independence for many years and the Council enjoys strong grassroots support as evidenced by the turnout at mass rallies as well as support from aligned grassroots movements, such as the Alliance of the Tribes of South Arabia and Southern Women for Peace. The comparable strength of the STC in relation to other Southern factions has led some to claim that it now carries the torch for ambitions of the Southern Movement. Collective memory and the narrative of the past glory of the South are regularly evoked by Council leadership. However, the STC’s relationship with certain factions of the Southern Movement is more complicated.

Beliefs among Southerners regarding the status, aims, and abilities of the STC are clouded by competing narratives. Among them, Yemeni news outlets, some more biased than others, have written about the STC’s “decline”, conspiracies of an Iranian–STC alliance, the Council’s mirroring of Houthi tactics in their coup against Hadi, their failure to rectify the lack of public services and reports of corruption on the part of STC members. However, the most prominent criticisms relate to two areas: (1) the STC’s leadership of the Southern Cause – a debate that relates to legitimacy, participation and inclusion – and (2) the STC’s relationship with the UAE – which throws into doubt the Council’s anti-imperialist rhetoric, their relationship with Tariq Saleh, the sustainability of

the STC in light of their dependence on their benefactor, as well as the conflation in the aims of the Emirates and the Council.

While the STC has the support of movement leaders such as former-President Ali Salim al-Beidh, other factions appear to oppose the STC outright. Nasser Ali al-Nuba, an important figure from the Southern Movement who dropped the aim of independence in 2011 and supported the National Dialogue Conference,³⁹ condemned the formation of the Council as “illegal”⁴⁰ and described it as “a fraught step, as it weakens the ability to face the major challenges facing Yemen.”⁴¹ In May 2018, Hadi appointed al-Nuba to the position of Commander of the Military Police in ‘Ataq and Aden. Another of the Southern old guard, and current Head of the Supreme Council of the Revolutionary Movement, Hassan Ba’um, referred to the STC as “dissidents” but tempered the statement by claiming he was open to communication.⁴² At another conference in October 2018, Ba’um rejected the STC’s monopoly over the Southern Cause.⁴³ This point is also argued by Fu’ad Rashid: “the Council must choose between two ways, either to carry the Southern cause, or to govern – it is not reasonable to hold the administration and the Southern issue at the same time.”⁴⁴

The STC attempts to mitigate such criticism and boost its legitimacy through broad representation. According to the Principles, Objectives and Foundations of Building the Southern Transitional Council, issued on 13 August 2017, STC leadership consists of members from each political and social component in the South and the Council “does not replace or negate the existence or [the] political project of each component.”⁴⁵ Nonetheless, STC practices often contrast with their rhetoric, which has led to tensions with other Southern entities. In a follow-up to the April 2017 All-Hadramawt Conference, which produced a

40-point document of principles for any future governance of the province, tensions emerged in September STC when the Conference’s Secretary-General, ‘Abd al-Qadir Bayazid, met with UN Special Representative, Martin Griffiths, and other international representatives. In response to fears that he was representing the Hadramawt Conference (instead of the aims of the STC), the STC reportedly invoked the conference’s bylaws, stating that the Secretary-General could not represent the conference as an “entity” to external actors. Bayazid resigned in protest and the Secretary-General position was reportedly filled by STC member, Ali al-Kathiri.⁴⁶

Even from allies, the STC has received criticism of their performance and priorities, rather than their overall aims. Khalid Bahah, the former Prime Minister under President Hadi, for instance, highlighted the need for the STC leadership to continue implementing the groundwork needed for their peaceful struggle, urging the leadership to maintain transparency and suggesting the rotation of its leadership.⁴⁷ Haydar Abu Bakr al-’Attas, the prominent Southern politician who held the position as the first Prime Minister of unified Yemen in 1990–1993, was also initially supportive of the STC’s attempts to create a unified Southern framework – something that he pushed for in the months preceding the establishment of the STC.⁴⁸ However, since then, al-’Attas has re-emphasised his support for the principles of the 2013/2014 National Dialogue Conference due, in part, to the factionalisation that he argues has persisted under the STC.⁴⁹ In a statement issued on 30 November 2018, the Southern Democratic Rally (TARJ) – a party in support of the STC – highlighted the need for a Southern conference as “the only means to unite the southern alignment.”⁵⁰ Thus, the need for broader representation is argued by multiple parties, both in opposition to and in alignment with the STC.

Parallel Southern forums have sprung up, but rather than being inclusive, these are politicised and usually narrow in scope. Formed in opposition to the STC, for instance, the Southern National Coalition (SNC) was announced in May 2018 as the outcome of “intensive consultations [...] with the aim of creating a Southern national leadership framework on a broad spectrum to strengthen the national alignment that supports legitimacy [i.e. Hadi] and the project of the federal state”.⁵¹ However, the SNC is generally dismissed by other Southern factions and has made little progress since its establishment. In March 2019, an attempt by the SNC to hold a conference in Cairo, Egypt, was shut down by the Egyptian government following Emirati pressure. However, the group managed to convene in Aden a month later. Similarly, at the time of writing, in Autumn 2019, Fadi Ba’um and the Mahrawi Sheikh, Ali Salim al-Huraizi, announced the planned formation of a National Salvation Council for the purpose of establishing a partnership between Southerners, criminalising exclusion, emphasising reconciliation and tolerance and rejecting foreign intervention.⁵²

In response to the establishment of other forums, Zubaydi announced a South–South dialogue on 3 May 2018. Under the guidance of Ahmed bin Brik, Chairman of the Southern Dialogue Committee and ra’is of the National Assembly, the first of the meetings took place in Abu Dhabi in late May 2018, bringing together historic figures from Yemen’s past, such as Haydar al-’Attas, Muhammad Nasser Ali, Ali Salim al-Beidh, Khalid Bahah and Abdulrahman Al-Jafri (Chairman of the League of the Free Sons of South Arabia). The “red line” in negotiations, according to Lutfi Shatara, was the right to independence, but everything else was negotiable.⁵³ The STC also held talks with Sheikh ‘Amr bin Habbrish, President of the Hadramawt Tribal Federation. In

particular, the STC focused on the leadership of the Southern Revolutionary Movement, Fu’ad Rashid and Fadi Ba’um, where the Dialogue Committee stressed the need to unite the Movement and the STC and “to unify media discourse”.⁵⁴

Thus, the STC faces three areas of contestation. The first area is in relation to the practices of the STC in attempting to achieve their aims, particularly related to the issues of participation and legitimacy. The South–South dialogue, despite representing an attempt by the STC to rectify these issues, failed to achieve accord due to its focus on existing elite Southern politicians who find less support among Yemeni youth,⁵⁵ but who nonetheless have considerable financial and political networks within and beyond Yemen’s borders. Efforts at dialogue with actors such as Habbrish were also largely unsuccessful and they remained allied with Hadi.⁵⁶ The second area of contestation is the issue that the degree of participation in governing the South will ultimately shape the structure and power-holders of any future Southern state. As summarised by one pro-Hadi fighter: “I demand the independence of the south but ... I am against all of STC’s actions, which do not represent the people of Shabwa”.⁵⁷ Being unable to participate in the governing framework currently in place under the STC carries a high cost. Members of previous transitional governments are known to consolidate their positions while in power by creating new patron–client relationships as well as by becoming well-known to broader society, thereby markedly increasing their chances of holding onto power via elections after the transition.⁵⁸ Thus, groups which are not currently part of the STC will continue to challenge the Council until they can either be absorbed into it or be quelled by its forces. The third aspect – the fact that the divergence of preferences among Southerners is pronounced in

relation to opinions of the partners with whom the STC is allied, particularly the UAE – is explored in greater detail below.

Southern sovereignty?

The STC's relationship with the UAE is questioned by Southerners on multiple grounds, including the conflation of Emirati aims with those of Southerners. One of the most distinct areas is the adoption of anti-Islah rhetoric, aimed at the Islah 'Reform' party, which has some links to the Muslim Brotherhood. Established in 1993 by regime loyalists, including current Vice-President Ali Muhsin al-Ahmar, Islah fought against the South during the 1994 civil war. The party later became part of the formal opposition in 1997 and was one of the greatest benefactors in the early stages of the 2011 Gulf Cooperation Council (GCC) Initiative.

Viewed as an ideological competitor in the region, the Emirati government has been an outspoken critic of the Brotherhood since 2011, and this policy has been central in the development of the STC's identity and rhetoric, framed in the narrative of the Southern struggle against terrorism. Combating terrorism in partnership with the Arab Coalition is a central tenet of both the *Historic Aden Declaration* and the *Principles, Objectives and Foundations*. STC officials have blamed Islah for "spreading chaos in Aden", impeding the STC, and aligning against the South, more generally.⁵⁹ Combating Islah is also placed within the wider narrative of resisting the "Northern invasion". In August 2019, the STC framed the clashes in Shabwa as the result of "armed terrorist groups led by the Muslim Brotherhood [i.e. Islah] aimed to reoccupy the governorate" that were allowed to arise due to the actions of the Hadi government.⁶⁰ Islah's role in the Hadi government is also used as grounds for the STC's resistance to it. In his augural speech at the National Assembly

in July 2018, Ahmed bin Brik blamed Islah for the Yemeni government's provocation "of our people and trying to return the situation in the South to [how it was] before 2015".⁶¹

Conflation of the aims of the UAE with those of the STC is also evident in the STC's embrace of Tariq Saleh – the nephew of the late President Saleh – who defected from the Houthis on 3 December 2017. From 2014 to 2017, President Saleh played a strategic role in the expansion of the Houthis as a means of derailing the Yemeni transition, and Yemeni military units loyal to Saleh, including the elite Republican Guard, originally fought alongside the Houthis. These units now form the basis of the National Resistance forces led by Tariq, which reassembled and re-armed in Aden in the Spring of 2018 under Emirati tutelage. In a televised interview following the January 2018 clashes, Zubaydi announced the STC's aim to "support the Northern Resistance led by Tariq Mohammed Saleh until the north [is liberated]" – a policy in line with "the objectives of the Arab Coalition in Yemen".⁶² As of Summer 2019, Zubaydi and Hani bin Brik continue to affirm their commitment to the National Resistance – a factor that has reportedly divided opinion among allies of the Council.⁶³

However, commentators questioned the authenticity of the STC's line regarding the stationing of Northern forces in the South, and their pro-Tariq policy was interpreted as evidence of their subservience to the UAE and the "the reproduction of killers and remnants of the old regime".⁶⁴ In April 2018, the transfer of heavy weapons from the UAE to the National Resistance and their deployment in Taiz was met with protests.⁶⁵ In July 2018, a statement issued by Hassan Ba'um's Supreme Council of the Southern Revolutionary Movement called for the expulsion of Tariq's men from Aden as well as for the Arab Coalition to enter into a "genuine partnership" that does not

detract from the dignity of Southerners.⁶⁶ The fight against Islah has, moreover, highlighted the stc's murky practices, including accusations of the systematic use of assassinations against Islahi clerics in Aden, and their role in the operation of a network of detention centres to hold dissenters, including Islahis, in partnership with the UAE.⁶⁷ These revelations have been effective in fuelling anti-stc propaganda among their opposition. As stated by 'Abd al-Karim al-Sa'adi, the head of the Association of Southern Civil Forces during protests in Radfan: "we have information confirming inhuman practices, death threats, the torching of shops and their owners to force them to close, and imposed civil disobedience".⁶⁸ Further doubt is cast on Emirati motives due to their expanding interests on the Yemeni coast,⁶⁹ including building large infrastructure projects, establishing military bases and garrisoning areas of strategic interest such as the Belhaf Liquid Natural Gas Plant on the Shabwa coast. The island of Socotra has also seen increased Emirati investment, aid, and the stationing of Emirati soldiers on the island without prior coordination with the Yemeni government, stoking diplomatic tensions between Hadi and Abu Dhabi, as well Yemeni fears of annexation.⁷¹ In the light of such incidents, the UAE's support for the stc is seen as a ploy to intentionally weaken the grip of the Hadi government and allow them to consolidate their own business and strategic interests.⁷¹ Thus, Southern cities have seen multiple protests against the "suffering manufactured by the UAE".⁷²

SEIZING A SOUTHERN SEAT

The stc's seizure of the interim capital Aden from the Hadi government in August 2019 provided the necessary leverage for the Council to join the negotiating table. Following 13 weeks of talks that took place in Jeddah, and then in Riyadh, the stc and the Hadi government signed the Riyadh

Agreement on 5 November 2019.⁷³ Despite this development, the level of bargaining power conferred on the Council after the seizure Aden is unclear. Cunningham argues that participants in peace talks should meet the criterion of holding "veto player" status by having the ability to single-handedly continue the conflict regardless of any agreement between other actors in the peace process.⁷⁴ However, through the investigation of the stc's institutional consolidation, this paper highlights the limitations of this paradigm in light of how institutional capacity and legitimacy become blurred in contested environments. The spatial challenges in areas beyond stc strongholds, the political challenges thrown up by other Southern factions, conflation of the stc's aims with those of the UAE and dependence on Emirati support has led rivals to question the degree to which the Council is independent and has unilateral capacity. Indeed, when the stc secured Aden in August 2019, Emirati air support was essential to allow them to hold the city.⁷⁵

Hailed by the stc's spokesman, Nizar Haytham, as a "strategic step towards independence",⁷⁶ the Riyadh Agreement contains three sections and broadly sketches a roadmap towards the formation of a power-sharing government between the North and South, in addition to outlining substantial security sector reforms. However, two key aspects, in particular, diverge from the stc's narrative of seeking independence: (1) the formation of a power-sharing government and (2) the agreement's reaffirmation of the "three references".

The outcomes of the power-sharing government are contradictory. As the only signatory of the agreement alongside the Hadi government, the stc was elevated to the de facto representative of the South. Simultaneously, the stc was sidelined by the agreement, in which power-sharing takes place between "northern and

southern municipalities” (point 1, annex 1). Indeed, mentions of the STC itself are conspicuously absent from the political provisions of the Riyadh Agreement. Aside from references to merging armed formations in annexes 2 and 3, the only political reference to the Council is at point 8 of the main agreement, which states that the STC will join the government delegation to “discuss the final political solution to the end of the coup by the terrorist Houthi militia”. Dividing power between Northern and Southern governorates, on the other hand, effectively removes any guarantees of a minimum quota in representation while simultaneously promising the STC everything. More realistically, however, Southern representation will be shared between the STC, opposing Southern factions and national-level political parties, including Islah. Since there is no dispute mechanism written into the agreement, and Hadi is only required to “consult” on appointments to governorships and the cabinet, many of the issues will need to be dealt with in the implementation process, which is likely to see fierce competition over the division of seats and spoils.

The other contentious facet of the Riyadh Agreement is the STC’s commitment to the “three references”, which refer to the GCC Initiative, the National Dialogue Conference Outcomes Document and UN Security Council Resolution 2216 (2015), as well as related resolutions. Adherence to these documents is the Hadi government’s “red line” in peace negotiations. The references legitimise the Yemeni government’s otherwise tenuous domestic position. Indeed, according to Charles Schmitz, the GCC Initiative “provided the legal foundation for Yemen’s current government”.⁷⁷ However, adherence to the three references begs the question of how the STC will manage their demands for secession. This is particularly pertinent since the NDC Outcomes Document provides a framework for how the deal

with the “Southern issue”, but the credibility of these Outcomes among many Southerners is questionable. How the STC will manage to maintain political momentum in achieving their aims, while at the same time communicating the rationale of their concessions to their followers, remains to be seen. The question here is whether a share in the cabinet and a seat at the negotiating table will be enough to satiate the STC’s demands for independence and, if so, whether and how they will continue to pursue this goal in their new situation.

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ROBERT FORSTER is a PhD candidate at the Christian Michelsen Institute in Bergen, Norway, and an associate of the Political Settlements Research Programme at the University of Edinburgh, UK.

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