

A Practical Guide for Yemeni Political Parties and Political Forces on Transitional Justice



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SAM ORGANIZATION FOR RIGHTS AND LIBERTIES

SAM is an independent, non-profit Yemeni human rights organization that began its activities in January 2016 and obtained a work license in December 2017. The organization seeks to monitor and document human rights violations in Yemen and work to stop these violations through advocacy efforts in partnership with local and international organizations. It aims to raise human rights awareness through community-based rights development and strives to hold human rights violators accountable in Yemen in cooperation with international mechanisms and human rights organizations.

Abductees' Mothers Association

The Abductees' Mothers Association is a women-led human rights organization founded in April 2016. It was formed by human rights defenders, mothers, and wives of detainees. The Association works to monitor and document cases of arbitrary detention and enforced disappearance and report them to the relevant authorities. It aims to build a human rights memory that preserves victims' rights to accountability and redress in the post-war period. The Association also works to amplify the voices of victims in national and international forums and maintains ongoing communication with decision-makers and local mediators to secure the release of detainees. Additionally, it provides psychosocial support to survivors and their families.

DT Institute

A non-profit organization committed to the principle of "development differently." The Institute implements complex global development programs in conflict-affected, fragile, and closed environments and funds leading think tanks that stimulate innovation and improve people's lives through evidence-based programs. The Institute works in partnership with communities and leaders to build more resilient, just, equitable, inclusive, and democratic societies, and to ensure their sustainability.



Supporting Peace in Yemen Through Accountability, Reconciliation, and Knowledge-Sharing (SPARK)

This paper was written and published as part of the **Supporting Peace in Yemen Through Accountability, Reconciliation, and Knowledge-Sharing (SPARK)** program — a scientific and practical framework that seeks to translate the concepts of transitional justice from theory into community practice.

The program focuses on enhancing awareness and strengthening local capacities to activate mechanisms of restorative justice, accountability, and reparations, as essential pathways toward a sustainable peace grounded in truth, fairness, and inclusive participation. It is founded on the principle that justice is not merely a legal process, but also a social and cultural endeavor that contributes to healing the national fabric, rebuilding trust, and restoring collective memory on the basis of acknowledgment and reconciliation.

The program works in close coordination with the **Justice for Yemen Partnership (J4YP)** — a coalition of ten Yemeni civil society organizations advocating for justice, accountability, and peacebuilding for victims of human rights violations across Yemen. Within this framework, SPARK partners and members of the coalition engage local communities and political actors in initiatives on reconciliation and restorative justice, aiming to enhance their capacity to participate effectively in transitional justice processes.



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Preface

This guide is issued in the context of a complex political phase in Yemen. The political process has suffered a marked decline as a result of a conflict that has continued for more than a decade. The conflict has directly affected all aspects of public life, including political actors, whose role has receded as priorities shifted toward military and humanitarian tracks, weakening political discourse and allowing the war to dominate the public scene.

As the conflict continued, new political forces emerged with sectarian, regional, and subnational backgrounds, and the public sphere increasingly came to be shaped by alignments that lacked an inclusive national perspective. Because these forces are relatively new and were not represented in the National Dialogue Conference held in 2012–2013, it became necessary to explore their orientations and views on transitional justice.

The National Dialogue Conference was not detached from the transitional justice track. It devoted a principal theme to the subject and established a specialized transitional justice working group. At the time, the Ministry of Legal Affairs also prepared a draft transitional justice law, which was subsequently amended but never submitted to Parliament. This reflected the continuing concern of political forces regarding this file.

Against this background, transitional justice emerges as one of the most important human-rights and political issues for redefining the relationship between public authority and citizens through a process grounded in redress and reconciliation.

Accordingly, the guide sought to identify the preliminary features of the visions held by political parties and political forces regarding the definition of transitional justice mechanisms and the prioritization of those mechanisms, with the aim of establishing common ground. Five focus-group discussions were conducted with 76 participants, including political leaders, experts, and human-rights activists, in addition to in-depth individual interviews. Fourteen major political parties and



forces participated in these activities, spanning both traditional parties and newer political forces.

The preparation of the guide faced several difficulties. Most notably, political parties generally lacked written positions on transitional justice; their organizational structures, offices, and media outlets had suffered extensive damage as a result of the conflict; and the issue remains fluid in the absence of a political settlement. Events since 2014 have also generated new facts and patterns of violations.

To address these limitations, the research team and SAM Organization for Rights and Liberties engaged political leaders and experts in order to strengthen the guide's practical value under unstable political conditions.

Although political parties have been severely affected by a conflict that reshaped the map of influence, transitional justice remains a deferred priority for many of them. Their definitions of justice often reflect their concerns: some view it as "a reconciliatory process for addressing the violations of the past," while others regard it as "a broad process that begins with accountability and the holding of perpetrators to account."

Political forces broadly agree on the importance of truth-seeking and reparations, but they do not offer detailed proposals for implementation mechanisms. This leaves the transitional justice debate dependent on practical steps and procedural mechanisms such as those proposed in this guide to overcome the current state of stagnation.

Recognizing that this guide only explores the contours of political thinking and does not offer a final vision, it emphasizes the need to develop parallel channels: one involving victims and civil society and another involving political parties and political forces. Such an approach can integrate tracks, coordinate roles, and create a degree of mutual oversight between victims and political actors. Rather than relying on unilateral formulas that may produce confrontational visions, parallel tracks can provide a suitable environment for participatory rights-based approaches. This

requires continued capacity-building for victims' associations and civil society organizations so that no party is excluded from the process.

The guide proposes a package of procedural steps and practical recommendations. Among the most important are the establishment of a forum bringing together political parties and political forces to organize dialogue on transitional justice; building shared consensus around human-rights issues; adopting a code of conduct for media discourse; developing the capacities of young leaders; and drawing on local reconciliation efforts and Yemen's own traditions of redress, including the work of the National Commission to Investigate Alleged Violations of Human Rights.



Key Political Parties and Forces Participating in the Guide's Activities

- Yemeni Socialist Party
- Yemeni Congregation for Reform (Al-Islah)
- General People's Congress
- Nasserist Unionist People's Organization
- Union of Popular Forces
- Justice and Building Party
- Yemeni Al-Rashad Party
- Sons of the South League
- Southern Transitional Council
- Revolutionary Movement
- Hadramout Inclusive Conference
- Tihama Movement
- Ansar Allah (Houthi) Group represented by a participant
- Political Bureau of the National Resistance





What Does This Guide Contain?

This guide presents an overview of Yemen's political landscape and its relationship to transitional justice. It reviews the principal transitional justice mechanisms and the opportunities and challenges associated with their application; analyzes the positions of political parties and political forces toward those mechanisms; and proposes principles for building political consensus, together with an implementation roadmap and practical recommendations that can inform the design of initiatives and policies relating to transitional justice in Yemen.

The guide is based on the findings of in-depth interviews, questionnaires, dialogue sessions, and an analysis of relevant national and international literature.

Who Is This Guide Intended For?

- Yemeni political parties and political forces.
- Party leaders and political actors.
- Government institutions and decision-makers.
- Civil society organizations and human-rights institutions.
- Researchers and academics interested in transitional justice and peacebuilding.
- National and international actors supporting peace and transitional justice processes.



Structure of the Guide

The guide is designed as a practical reference that facilitates understanding of the positions of political parties and political forces on transitional justice and supports dialogue and policymaking. Its organization deliberately moves from the theoretical framework to analysis and then to practical proposals.

Chapter One reviews the Yemeni political landscape and analyzes the positions of parties and political forces on transitional justice in light of the evolution of Yemen's political context.

Chapter Two addresses transitional justice mechanisms and analyzes the opportunities and challenges associated with each mechanism in the Yemeni context.

Chapter Three discusses the role of political parties in building consensus and offers guiding principles for strengthening national partnership around transitional justice.

Chapter Four proposes an implementation roadmap for building strategic consensus on transitional justice, based on the findings of the analysis.

Chapter Five presents the principal conclusions and recommendations addressed to political parties, official institutions, and supporting international actors.



Background on Transitional Justice and Yemen's Experience

Transitional Justice: Concept, Principles, and Mechanisms

The Concept and Development of Transitional Justice

From the United Nations perspective, transitional justice is understood as the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses in order to ensure accountability, serve justice, and achieve reconciliation.¹ The concept developed in response to legal gaps and serious violations in conflict and post-conflict societies², where prevention and the treatment of the root causes of conflict became central imperatives of justice.³

Transitional justice differs from conventional criminal justice in that it is a comprehensive approach extending beyond prosecution alone. It includes judicial and non-judicial mechanisms⁴, both national and international, which collectively seek to restore public confidence in institutions of governance and strengthen the rule of law.⁵

Transitional justice is grounded in core principles that safeguard its legitimacy and effectiveness. Foremost among them is adherence to international human-rights standards and international humanitarian law, which should provide the normative foundation for all activities.⁶

1. United Nations, Report of the Secretary-General, The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies, UN Security Council, S/2004/616, 23 August 2004, p. 6, para. 16.

2. United Nations, *ibid.*, p. 6, para. 8.

3. United Nations, *ibid.*, p. 2, para. 3.

4. United Nations, *ibid.*, p. 3, para. 6.

5. United Nations, *ibid.*, p. 5, para. 4.

6. United Nations, *ibid.*, p. 13, para. 25.

National ownership is likewise essential: no externally imposed initiative can achieve sustainable success without meaningful public participation, including the participation of victims and civil society.⁷

Another strict principle is the rejection of blanket amnesties for genocide, war crimes, or crimes against humanity. Peace agreements endorsed by the United Nations may not promise such amnesties.⁸ Transitional justice must also take gender differences into account and protect vulnerable groups, including children and minorities, in order to ensure fairness and avoid compounding their suffering.⁹





Transitional Justice Mechanisms

The principal mechanisms of transitional justice include:

Truth-seeking: usually undertaken through truth commissions or fact-finding bodies, which are temporary, official, non-judicial institutions established to determine facts concerning past violations, encourage accountability, and recommend institutional reforms.¹⁰

Accountability and prosecutions: intended to combat impunity through national, hybrid, or international courts. Such mechanisms contribute to the development of international criminal jurisprudence and strengthen public confidence in the state's capacity to enforce the law.¹¹

Reparations and compensation for victims: including material and symbolic measures such as restoration of legal rights, memorials, and official apologies, thereby helping to rebuild victims' trust in the state.¹²

Institutional reform and guarantees of non-recurrence: including vetting procedures to remove officials responsible for abuses from public service, particularly within the police and judiciary, thereby reinforcing the legitimacy of new public institutions.¹³

7. United Nations, *ibid.*, p. 7, para. 9.

8. United Nations, *ibid.*, p. 7, para. 10.

9. United Nations, *ibid.*, p. 7, para. 10.

10. United Nations, *ibid.*, p. 29.

11. United Nations, *ibid.*, p. 9.

12. United Nations, *ibid.*, p. 10.

13. United Nations, *ibid.*, p. 10.



Yemen's Transitional Justice Experience After 2011

Since 2011, Yemen's transitional justice trajectory has been complex because of the negotiations surrounding it and the actors sponsoring those negotiations. The transition was brokered through the Gulf Cooperation Council (GCC) initiative to resolve the political crisis of the time, rather than resulting from the complete collapse of the former regime. This directly affected negotiations over the permissible scope of accountability.¹⁴

Under the GCC Initiative, former President Ali Abdullah Saleh stepped down in exchange for comprehensive immunity from accountability and prosecution. Parliament approved the immunity in January 2012. Yet the transition did not constitute a complete withdrawal from political life: Saleh remained head of the General People's Congress and retained extensive tribal and social influence.¹⁵



Following the GCC agreement, political negotiations continued through the National Dialogue Conference, which provided a framework for discussing transitional justice. Nevertheless, the transitional justice track remained constrained by the political limits established by the GCC Initiative and Parliament's approval of immunity.

The transitional justice working group at the Conference discussed general principles for transitional justice, but disagreements arose over the temporal scope of the proposed law and its reference period—in particular, whether it could apply to violations committed before 2011.¹⁶ At the same time, the working group sought to rely on United Nations instruments to overcome restrictions created by the immunity law and to advance a parallel path toward criminal accountability, although these efforts remained limited in their practical and political impact.

14. Noha Aboueldahab, "Yemen: The GCC Initiative and the General People's Congress," in *Rethinking Transitional Justice: The Prosecution of Political Leaders in the Arab Region—A Comparative Case Study of Egypt, Libya, Tunisia and Yemen*, unpublished PhD thesis, Durham University, 2015, pp. 87–88.

15. Noha Aboueldahab, "Non-Paradigmatic Transitions," in the same source, pp. 185–186.

16. Noha Aboueldahab, "Yemen: The GCC Initiative and the General People's Congress," pp. 87–88.



Expanding the temporal scope of the law consequently became highly politically sensitive because it could widen the circle of accountability to encompass multiple actors. Influenced by the Gulf mediator, the principal political actors moved toward limiting the law to a specified period, preventing the establishment of a comprehensive accountability process for earlier violations.¹⁷

Partisan polarization was another important factor shaping Yemen's transitional justice process. This polarization was not binary; it involved multiple political, partisan, and military actors. The multiplicity of parties complicated the prospects of reaching a comprehensive political settlement on accountability because their interests and positions differed substantially.¹⁸

Polarization also affected the judiciary, which remained divided along tribal and factional lines, limiting its capacity to deal seriously with politically sensitive cases, particularly those involving senior officials. In April 2013, the Public Prosecutor ordered an investigation into terrorism allegations against the former president and people close to him, but the step did not produce a substantive development in the accountability process. Saleh continued to lead his party without legal obstacles preventing his political role.¹⁹

The GCC's role was not politically or technically neutral. Gulf states supported an "immunity formula" rather than the full dismantling of the former regime, a choice linked to geopolitical concerns about the effects of continuing political and security instability in Yemen on regional stability.²⁰



The United Nations played a multifaceted role. Its representatives, including a representative of the Office of the High Commissioner for Human Rights, participated in efforts to define the limits of the immunity law and supported attempts to restrict its scope to “senior positions.” This approach operated within the Gulf-led negotiated settlement. At the same time, the transitional justice working group relied on United Nations instruments in an effort to overcome the restrictions imposed by the immunity law and promote a parallel criminal-accountability track. These efforts, however, remained limited in their ability to produce practical and political change while the original settlement’s constraints persisted.²¹

17. Noha Aboueldahab, “Yemen: Content and Scope of Prosecution Decisions,” in the same source, pp. 171–172.

18. Noha Aboueldahab, “Yemen: The Role of International Actors and Geopolitics,” in the same source, pp. 166–167.

19. Noha Aboueldahab, “Yemen: Negotiating the GCC Initiative,” p. 165.

20. Noha Aboueldahab, “Yemen: Content and Scope of Prosecution Decisions,” p. 172.

21. Noha Aboueldahab, “Local and International Actors: Proponents of Competing Visions of Transitional Justice,” in the same source, p. 200.

Chapter One: Political Parties' Positions on Transitional Justice





1.1 Patterns of Political Actors in Yemen

This classification is based on broad patterns emerging from the data collected from participants. It is intended to explain general trends in positions, not to assign any particular party or political force definitively to a single category. Positions may vary within the same party according to political context and differences among its members.

First: Parties with Long Experience in Government

This category includes parties that played central roles in state administration over extended periods of Yemen's political history. They possess substantial institutional experience, broad organizational networks, accumulated relationships with state institutions and local and regional actors, and practical knowledge of the challenges of governing and maintaining political stability in fragile environments.

The evidence underlying this guide, including in-depth interviews and questionnaires, indicates that these parties tend to view transitional justice through the lens of maintaining political balance and avoiding renewed conflict. They therefore show greater interest in national reconciliation and reparations than in some criminal-accountability mechanisms.

This does not imply a principled rejection of justice. Rather, it often reflects concern that certain accountability mechanisms could become tools of political polarization or reproduce earlier conflicts. Their association with historical periods marked by violations or political crises also makes their engagement with past abuses more complex and sensitive.



Qualitative interviews indicate that representatives of this category view transitional justice as a balancing process between the requirements of redress and those of stability, and believe that disturbing this balance could jeopardize the prospects of a political settlement.

Second: Traditional Opposition Parties

This category comprises parties with long political and organizational histories that were not the principal decision-makers in state administration during most earlier periods. Their political experience was accumulated through opposition work and participation in parliamentary, trade-union, and civic life, giving them greater room to adopt rights-based and reform-oriented discourse than parties directly associated with governing authority.

Assessment results show relatively high levels of support within this category for accountability, institutional reform, and truth-seeking, while also emphasizing the need to avoid policies that could deepen divisions or prolong conflict. This orientation is linked to the nature of these parties' political experience: opposition was their principal role, although some participated partially in government and held specific ministerial portfolios at different times.

That experience contributed to a perspective combining demands for accountability and institutional reform with considerations related to political stability and the avoidance of deeper divisions. These parties could therefore contribute to future dialogue on transitional justice by supporting consensus around shared issues such as truth-seeking, accountability, and institutional reform.

Interviews also showed that these parties consider institutional reform one of the most important guarantees of non-recurrence and view reform of the judiciary, security services, and administrative institutions as a practical route toward justice over the long term.



Political parties' positions have changed over time as they moved between government and opposition. The distinction used here therefore reflects their current approaches to transitional justice mechanisms and their balancing of justice with political and social stability; it is not an absolute classification of their present political locations.

Third: Emerging Parties and Political Forces

This category includes parties and political components that emerged or gained greater prominence following the 2011 popular movement and whose roles expanded after the armed conflict began in 2014 and reshaped Yemen's political and military balance of power. It includes newly established parties, components formed in response to conflict-driven transformations, forces grounded in historical grievances or political causes, and actors that acquired political influence through effective control over territory or possession of military and security capabilities.

Dialogue sessions and interviews show that the positions of these actors are influenced by the circumstances of their emergence, their role in the conflict, and their political priorities. Components rooted in historical grievances place greater emphasis on recognition, reparations, and guarantees of non-recurrence, while newer political parties give greater attention to truth-seeking, accountability, and institutional reform.

Some components that became active parties to the conflict expressed reservations about certain transitional justice mechanisms, particularly judicial accountability, while stressing that these mechanisms should be compatible with a political settlement and the requirements of stability. This reflects diversity in priorities and methods rather than rejection of transitional justice itself.

Assessment findings indicate that these forces generally adopt approaches more supportive of accountability, truth-seeking, and reparations and repeatedly emphasize the need to address earlier violations rather than rely exclusively on



political settlements. Factors include their limited association with previous centers of power, reform-oriented political discourse, and representation of social constituencies that believe historical grievances have not been adequately addressed.

At the same time, these parties face challenges related to institutional experience and their capacity to translate broad demands into implementable policies and programs. Their participation in capacity-building and political dialogue is therefore important for strengthening their role in the next phase. The guide does not name individual parties in its analytical classifications; rather, it offers an overall reading based on in-depth interviews and focus-group discussions.

1.2 Political Experience and Its Impact on Perceptions of Transitional Justice

The data indicate a relationship between parties' political experience and their positions on certain transitional justice mechanisms. Two principal orientations emerge:

The first orientation favors accountability and truth-seeking and is more strongly supported by emerging parties and political forces.

The second orientation places greater emphasis on reconciliation and stability and is more strongly supported by parties that governed or participated partly in government.

This pattern may be explained by the fact that parties that have not borne extensive governing responsibility often view transitional justice as an opportunity to correct historical imbalances, whereas parties more closely associated with state institutions tend to consider justice in terms of its possible impact on political and institutional stability.



1.3 The Central Challenge: Building Political Consensus on Justice

The guide's findings show that the principal challenge is not the absence of support in principle for transitional justice, but disagreement over how it should be implemented and how its priorities should be sequenced. Most parties agree on the importance of redress for victims, preventing recurrence, and achieving national reconciliation. Disagreement becomes more pronounced, however, when discussion turns to practical questions: the scope of accountability, the nature of investigations, management of archives, reparations mechanisms, institutional reform, and the meaning and limits of national reconciliation.

Consensus therefore remains possible, but requires broader spaces for dialogue and approaches that take different political and security concerns into account without compromising victims' rights or the principles of justice.

Chapter Two: Transitional Justice

Mechanisms in Yemen:

Opportunities and Challenges





Transitional justice provides an integrated framework for addressing the legacy of serious violations committed during conflict, authoritarian rule, or major political transitions. International experience has developed this approach around a set of interconnected mechanisms: truth-seeking, accountability, reparations, institutional reform, and national reconciliation.

Although there is a common body of international literature on transitional justice, local specificity remains decisive. Every society must develop an approach responsive to its own political, social, and cultural circumstances. This is particularly important in Yemen because of the number and overlap of conflict phases, the extension of violations across different historical periods, and the presence of multiple actors, each carrying its own narrative of events.

2.1 Parties' Understanding of Transitional Justice Mechanisms

Interviews and dialogue sessions showed that most participating parties regard transitional justice as “a necessary process for addressing the effects of conflict,” but differ over which mechanisms should receive priority. Some consider accountability and truth-seeking the essential entry point for any transitional process, based on the conviction that sustainable peace cannot be achieved without addressing violations and holding those responsible to account.

Other parties emphasize national reconciliation and reparations as necessary conditions for rebuilding social trust and avoiding renewed conflict. The disagreement therefore generally concerns the ordering, prioritization, and implementation of transitional justice components rather than the principle itself. At the same time, the findings reveal differing levels of understanding and engagement with these mechanisms, underscoring the need for further dialogue and in-depth discussion. This guide offers practical directions for opening such discussions.



2.2 Accountability: Between the Demand for Justice and the Requirements of Stability

Accountability is among the most sensitive issues in Yemen's transitional justice debate. Large segments of victims and civil society organizations view it as an inherent right that cannot be relinquished and warn that ignoring accountability may entrench a culture of impunity and weaken confidence in state institutions.

Some political forces, however, fear that accountability may be instrumentalized in political conflict or applied selectively against particular parties. This reflects a familiar dilemma in transitional justice experiences worldwide: how to balance the imperative of accountability with the need to preserve political stability during transitional periods.

Evidence from dialogue sessions and interviews suggests that broader consensus may be possible around a gradual approach to accountability: beginning with acknowledgment of violations, truth-seeking, and acceptance of responsibility, and then developing toward more comprehensive legal mechanisms within a framework of national consensus.



2.3 Truth-Seeking: A Foundation for Building Trust

Truth-seeking is regarded as one of the main pillars of transitional justice because it provides an evidentiary and ethical basis for understanding and documenting what happened and preventing future denial. In Yemen, its importance is heightened by the multiplicity of violations, the diversity of actors involved, and their occurrence across different periods. The continued presence of thousands of victims and missing persons, as well as families of the forcibly disappeared, makes knowing the truth a humanitarian demand before it is a political one.

The analysis shows relatively broad acceptance of truth-seeking compared with some other mechanisms, particularly accountability. Yet opinions differ over implementation methods, the scope of investigations, and the timeframe for beginning the process.

Seven political components linked the start of implementation to the restoration of state institutions and a degree of political stability, considering these prerequisites for effective transitional justice. Two political actors, by contrast, argued that certain tracks—such as documentation, truth-seeking, and institutional preparation—could begin before the restoration of state institutions was complete, with the state later implementing mechanisms requiring sovereign authority, such as judicial accountability and reparations.

Participants also differed in their assessment of the appropriate timing for activating different mechanisms, reflecting differing understandings of the requirements of the transitional phase. A major challenge is the absence of a unifying national narrative about the past. Different parties retain competing accounts of events, making independent professional standards, credibility, and impartiality essential for any truth-seeking effort.

Success also requires protection for witnesses and victims, access to documents and information, and use of national and international expertise in documentation, investigation, and archiving.



2.4 Reparations: From Recognition to Redress

Reparations enjoy relatively high levels of support among the participating parties, making them one of the components of transitional justice most amenable to consensus. Reparations are not limited to financial compensation; they encompass a broad range of measures intended to acknowledge victims' suffering, restore their dignity, and contribute to their reintegration into society.

Reparation measures include:

- Financial compensation.
- Health and psychological care.
- Educational support.
- Restitution of property.
- Annulment of unjust judgments.
- Commemoration of victims.
- Official apologies, where appropriate.

Reparations do not seek to erase the consequences of violations or fully compensate all losses, which may be impossible in many cases. Rather, they seek official recognition of harm and the rebuilding of the relationship between victims and the state. In Yemen, effective reparations programs require clear and fair criteria for identifying beneficiaries, transparency in resource management, and direct participation by victims in program design and implementation.



2.5 Institutional Reform: A Guarantee of Non-Recurrence

Transitional justice cannot be completed without reforming institutions that were connected to violations or failed to prevent them. In Yemen, this issue is particularly important given the divisions and erosion suffered by state institutions during years of conflict.

The analysis shows broad consensus among participating parties and political forces that institutional reform is a core pillar of transitional justice. Eight of nine political components supported reform of state institutions as a guarantee against recurrence and as a means of strengthening the rule of law, with particularly strong agreement on reforming the judiciary and reinforcing its independence.

Differences were largely confined to priorities, implementation mechanisms, and timing. Three components considered that institutional reform should proceed in parallel with other transitional justice mechanisms. Five argued that successful reform first requires the restoration of state institutions and a minimum level of political stability. One adopted an intermediate position, supporting preparatory reform measures before state restoration and completion of implementation afterward.

Participants also differed over the scope of reform. Most focused on sovereign institutions, especially the judiciary and law-enforcement bodies, while some called for broader structural reforms to the system of governance, stronger decentralization, and fairer representation of governorates and regions.

Frequently discussed areas included judicial reform and independence, restructuring of security and military institutions, stronger oversight and accountability systems, anti-corruption measures, and greater transparency in public administration. Such reforms should be viewed as a long-term investment in building a state capable of protecting rights and preventing recurrence, rather than as a temporary response to conflict.

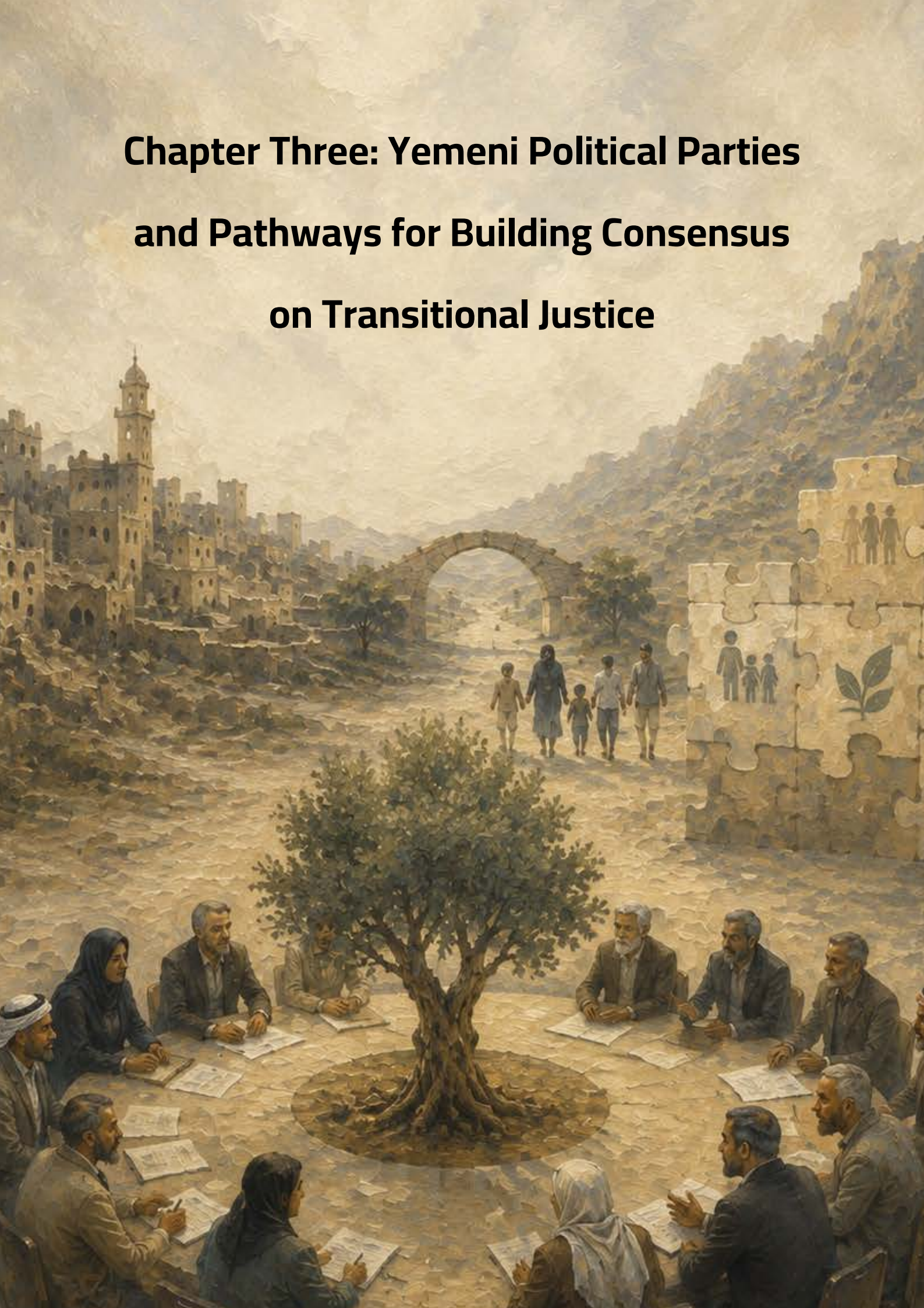
2.6 National Reconciliation: Toward a Social Contract

National reconciliation occupies a central place in discussions about Yemen's future because of the scale of political, social, and regional divisions created by years of conflict. The findings show broad acceptance of reconciliation, although disagreement persists over its practical meaning and the conditions required for it.

Some parties believe reconciliation should come as a second stage after truth-seeking and an appropriate degree of accountability. Others regard reconciliation as a necessary priority for creating conditions conducive to implementing the remaining transitional justice mechanisms. In Yemen, reconciliation may therefore need to operate at several levels: politically among the parties to the conflict; socially within affected communities; and nationally through rebuilding a shared sense of citizenship and belonging.



Chapter Three: Yemeni Political Parties and Pathways for Building Consensus on Transitional Justice





Transitional justice is not merely a legal or human-rights process. At its core it is also a political process requiring consensus among the principal actors in society and the state. In contexts marked by protracted conflict or deep division, the ability of political actors to build common ground becomes decisive for the success of any justice or reconciliation process.

In Yemen, parties and political forces are among the most important actors capable of influencing transitional justice, whether through legislation and public policy, shaping public opinion, contributing to peace efforts, or rebuilding the state. The study finds that the main challenge is not lack of acceptance in principle, but differing perceptions of objectives, priorities, and implementation mechanisms. Building political consensus is therefore essential to translating general principles into practical, implementable policies.

3.1 Political Consensus as an Entry Point to Transitional Justice

Transitional justice requires a minimum level of political consensus among the parties concerned to ensure acceptance of its mechanisms and the legitimacy of their implementation. Integrating transitional justice into a comprehensive national framework for addressing the effects of conflict and rebuilding trust between state and society is a major factor in improving its prospects for success and sustainability.



The findings identify several areas of common ground that could form the basis for national dialogue:

- Recognition of the importance of addressing the consequences of conflict and violations.
- Recognition of victims' rights to redress and reparations.
- The need to reform public institutions.
- The importance of national reconciliation.
- The need to prevent future recurrence of violations.
- Despite differences over details and priorities, these common points provide an opportunity to reduce trust deficits and strengthen the prospects for consensus.

3.2 Factors Influencing Parties' Positions

Parties' positions are shaped not only by ideological references or political programs but also by their historical experiences and current positions. Experience in government and experience of conflict are particularly influential. Parties that regard themselves as having been harmed during particular phases tend to prioritize truth and redress, while others focus more strongly on reconciliation and stability.

The social and political constituencies represented by parties also play an important role. Parties representing regions or groups that perceive historical grievances often place justice and reparations among their highest priorities. The current political environment is another important factor: as polarization and mistrust increase, it becomes more difficult to reach consensus on sensitive issues such as accountability and truth-seeking.



3.3 Opportunities for Building Consensus Among Parties

The analysis indicates that the prospects for consensus are not evenly distributed across the different components of transitional justice.

Areas Most Amenable to Consensus

Reparations: among the issues enjoying the broadest acceptance because of their direct connection to victims' suffering and their capacity to produce tangible results in the near term.

Institutional reform: most parties support reform of state institutions, particularly the judiciary, public administration, and security services, as necessary to strengthen trust and prevent recurrence.

Support for victims: there is broad agreement on the importance of psychological, social, and economic support for groups affected by the conflict.

Most Sensitive Areas

Criminal accountability: positions differ over its scope, the actors it should cover, and the appropriate judicial mechanisms for dealing with serious violations.

Opening archives and records: differences concern access to information and the historical periods that documentation and investigation should cover.

The relationship between justice and reconciliation: debate continues between those who see justice as a prerequisite for reconciliation and those who see reconciliation as an entry point to achieving justice.



3.4 The Role of Parties in Supporting Transitional Justice

Political parties' role extends beyond participation in political debate to directly affecting the success or failure of transitional justice. Important roles include:

Contributing to legislation by supporting transitional justice laws and policies and ensuring their consistency with national and international standards.

Promoting dialogue by encouraging public discussion among political and social components about issues of the past and the future.

Supporting victims by adopting policies responsive to victims' needs and supporting their participation in transitional justice decision-making.

Contributing to institutional reform by advocating reform of public institutions and strengthening transparency, accountability, and the rule of law.

Reducing exclusionary discourse by adopting political language centered on coexistence and national partnership rather than accusations of betrayal and incitement.



3.5 Toward a National Partnership for Transitional Justice

International experience indicates that transitional justice is more sustainable when it moves from being an elite political project to a national project in which all sectors of society participate. In Yemen, this requires a broad partnership including:

- Political parties and political forces.
- Civil society organizations.
- Victims and survivors.
- Government institutions.
- Academics and experts.
- Community and religious leaders.
- Women and young people.
- The media.
- This approach broadens the social base of support for transitional justice and reduces the risk that the process will be monopolized by any single party or institution.

Chapter Four: Implementation Roadmap and Mechanisms for Building Consensus





No transitional justice project can succeed in a divided environment without practical mechanisms for producing political and social consensus. Transitional justice is not simply a package of laws and institutions; it is a continuing process of negotiation among parties that carry different narratives of the past and different interests regarding the future. In Yemen, where centers of influence are multiple and political, geographic, and social divisions overlap, consensus-building becomes a condition for the success of any transitional justice process.

Open National Dialogue

Open national dialogue is the first pillar for building the strategic consensus required to design and implement transitional justice. Given the differing positions of Yemeni political forces on the interpretation of violations, attribution of responsibility, and the future of the state, structured dialogue is necessary to bring viewpoints closer together and build trust.

To improve the prospects for success, dialogue should begin with issues on which the analysis found relative consensus: institutional reform, documentation of violations, judicial reform, reparations for victims, and the importance of preventing recurrence. In a second stage, dialogue can move gradually to more complex issues, including the scope of accountability, the periods covered by truth-seeking, the relationship between transitional justice and restoration of state institutions, and the conditions governing reconciliation and amnesty.

This sequencing allows the greatest possible level of trust and consensus to be built before the most sensitive files are addressed. The process should create permanent channels of communication among political and social actors so that disputed issues are discussed institutionally rather than left to media confrontation or direct political conflict.



Dialogue can also generate a shared understanding of the basic principles of transitional justice, especially truth-seeking, reparations, accountability, and institutional reform. Regular sessions should bring together major political forces, victims' representatives, civil society organizations, and community leaders, supported by national and international experts experienced in conflict management and political transitions.

Dialogue outcomes should be documented and continuously followed up so that theoretical understandings are converted into practical, implementable measures and a body of written, mutually agreed reference material on transitional justice is developed. Key indicators of success include the continuation of dialogue despite political crises, a decline in hostile discourse, and participants' ability to develop shared solutions to disputed issues rather than reproduce existing divisions.

Political Code of Conduct

Experience from political transitions shows that formal agreements are often insufficient unless supported by an ethical and political framework governing the behavior of principal actors. A political code of conduct should therefore establish the basic rules to which forces participating in the transitional justice process commit themselves.

The code should protect the transitional process from political instrumentalization, strengthen mutual trust, and safeguard adherence to the fundamental principles of justice so that transitional justice is not transformed into an instrument of conflict or revenge.



The code should include the following core commitments:

- Refraining from media incitement and hate speech.
- Withdrawing political protection from individuals involved in serious violations.
- Fully cooperating with investigation and vetting mechanisms.
- Not exploiting victims' cases or records of violations for political or electoral gain.

The code should also establish independent monitoring mechanisms to follow compliance, involving oversight bodies agreed by the parties and issuing periodic reports on adherence and possible breaches. This would help transform the code from a symbolic declaration into a practical instrument for strengthening trust and stability.

4.1 Guide to a Common Political Discourse

Political language is one of the most important factors influencing the success or failure of transitional justice. The words used to describe the past, assign responsibility, and define the future do more than reflect political positions: they help shape public perceptions and can either reproduce conflict or contribute to overcoming it.

There is therefore a need to develop an inclusive political discourse grounded in basic principles. The first is recognition of diversity as a source of national strength rather than a threat to unity. The second is affirmation that transitional justice is "a process that includes all victims and all regions without discrimination or selectivity." The common discourse should also emphasize that the ultimate objective is not simply to manage the past, but to build a more stable and just future. The common discourse should further be based on individual responsibility: persons involved in violations should be held accountable without assigning collective responsibility to entire communities, regions, or parties for the acts of individuals.



Collective accountability tends to deepen divisions and weaken the prospects for reconciliation.

Exclusionary Term	Balanced Alternative
Settling scores	Fair legal accountability
Victors' justice	Participatory transitional justice
Political deals	Inclusive national reconciliation

4.2 Implementation Roadmap for Transitional Justice in Yemen After the End of the War

Analysis of Yemeni political forces' positions indicates that successful transitional justice requires a gradual path responsive to the complexities of political and security realities and to the levels of agreement and disagreement among actors. This guide therefore proposes a multi-stage roadmap combining political realism with transitional justice principles and seeking to build consensus cumulatively by beginning with relatively agreed issues before moving toward more complex and disputed matters.

Stage One: Preparation and Confidence-Building

This stage is the foundation for all subsequent stages. Its primary objective is to create a political and security environment in which the transitional process can begin without an immediate risk of collapse or renewed conflict. It begins with establishing a comprehensive and sustainable ceasefire, opening roads and crossings, and facilitating humanitarian access to all areas.

It also includes confidence-building programs among parties to the conflict, such as exchanges of prisoners and detainees, preliminary disclosure of the fate of missing persons, and cessation of inflammatory media campaigns.



Stage Two: Legal and Institutional Framework

After the preparatory stage, the process moves to establishing the legal and institutional infrastructure required for transitional justice. This includes adoption of a transitional justice law through a consensual legislative institution and establishment of bodies responsible for implementing the various components of the process. These may include a Truth and Redress Commission, a Reparations Authority, a Missing Persons Search Unit, and specialized prosecution offices and courts.

It is important to note Yemen's existing state efforts in this area. A national mechanism was established to monitor, document, and investigate alleged human-rights violations committed within the territory of the Republic of Yemen under Republican Decree No. 140 of 2012 and its amendments. The National Commission was created in the context of Yemen's political transition.

In addition to its establishing decree and amendments, the Commission's legal mandate draws on the GCC Initiative and its Implementation Mechanism, relevant United Nations Security Council resolutions on Yemen—most notably Resolution 2051 (2012) and Resolution 2140 (2014)—and Human Rights Council resolutions concerning the human-rights situation in Yemen.

Stage Three: Truth-Seeking and Reparations

This stage is central to transitional justice. Specialized institutions begin their core functions of establishing the truth, recognizing victims, and providing redress. The Truth and Redress Commission receives testimony and statements from victims, witnesses, and former officials; investigates violations; and organizes public hearings enabling victims to recount their experiences before society.



Stage Four: Accountability and Institutional Reform

This stage represents the real test of the seriousness of the state and political forces in combating impunity. After a substantial part of the truth-seeking process has been completed, specialized judicial institutions begin examining cases involving serious violations. The focus should be on individual rather than collective responsibility, with all guarantees of a fair trial provided to accused persons.

Stage Five: National Reconciliation and Consolidation of Guarantees

After the core stages of transitional justice have been implemented, the process moves toward consolidating national reconciliation and building a shared collective memory. This includes local community-reconciliation programs, support for initiatives that promote coexistence among affected communities, and development projects in areas most severely affected by conflict.



4.3 Indicators for Measuring the Success of the Roadmap

Implementation requires an integrated monitoring and evaluation system using quantitative and qualitative indicators to measure progress periodically.

Level	Principal Indicators
Political	Number of agreements implemented; level of political-force participation in transitional justice institutions; decline in indicators of political polarization.
Human Rights	Number of documented violations; number of victims receiving compensation or official recognition; proportion of cases addressed.
Institutional	Scale of reforms completed within security, judicial, and administrative bodies; level of public confidence in those institutions.
Societal	Reduction in local conflicts; increased levels of social trust; improvement in indicators of national cohesion and coexistence among different components.

Chapter Five: General Conclusions and Recommendations





This chapter presents the study's principal findings and strategic recommendations addressed to political forces, the government, civil society, and the international community.

5.1 General Conclusion

This guide aims to analyze the positions of Yemeni political forces toward transitional justice, identify patterns of convergence and divergence, and assess opportunities for building a national consensus capable of supporting a comprehensive and sustainable transitional justice process.

The findings show that Yemen's political landscape cannot be reduced to a simple binary polarization between supporters and opponents of transitional justice. Rather, it comprises a broad spectrum of positions shaped by ideological backgrounds, political experience, and the roles occupied by different forces during phases of conflict.

The statistical analysis found relative consensus among most political forces on the importance of reparations and compensation for victims, as the issue that generates the least disagreement and enjoys the broadest acceptance among actors. Legal accountability, by contrast, emerged as the most sensitive and divisive issue, particularly among forces directly or indirectly associated with state institutions in earlier periods.



The findings further indicate that newer political forces tend to favor a comprehensive approach centered on accountability, truth-seeking, and institutional reform, whereas traditional forces often prefer a more cautious approach emphasizing reconciliation and political stability and expressing clear reservations about broad accountability mechanisms.

The study also shows that the success of transitional justice depends not only on institutional design or legislation, but even more on the capacity of political actors to build strategic consensus that moves beyond zero-sum conflict and establishes a national partnership based on mutual recognition of grievances and responsibilities.

Transitional justice in Yemen is therefore not merely a legal or human-rights entitlement; it is a political and social project for rebuilding the social contract and repairing the relationship between the state and citizens, enabling society to turn the page on conflict without ignoring its consequences or neglecting the rights of its victims.



5.2 Key Findings

The study's key findings can be summarized in the following main points:

1. There is broad consensus among different political forces on the importance of addressing the consequences of conflict, but that consensus declines markedly when discussion moves from general principles to implementation details concerning accountability and attribution of responsibility.
2. Reparations provide a suitable starting point for building political consensus because they enjoy higher acceptance among different forces than other components of transitional justice.
3. Legal accountability represents the greatest obstacle to comprehensive political consensus because some forces fear that it may become an instrument of political exclusion or revenge.
4. Civil society organizations and victims play a central role in preserving the rights-based character of transitional justice and preventing it from being reduced to political settlements among elites.
5. Effective transitional justice cannot be achieved while armed conflict continues or in the absence of a minimum level of political and security stability.
6. The success of transitional justice is directly linked to the state's ability to implement genuine institutional reforms within security, judicial, and administrative bodies.
7. The prospects of success increase as social participation broadens, transparency rises, and trust among different actors is strengthened.



5.3 Recommendations

The guide presents a set of practical recommendations aimed at enhancing the prospects for successful transitional justice in Yemen, taking into account the specific characteristics of the Yemeni context and reflecting the areas of consensus and divergence among political forces.

First: Recommendations to Political Forces

- Treat transitional justice as an inclusive national project, not as an instrument for partisan gain or political score-settling.
- Commit to the principle of individual responsibility and avoid discourse that entrenches regional, partisan, or social divisions.
- Adopt a binding political code of conduct governing the behavior of parties participating in the transitional process.

Second: Recommendations to the Government and State Institutions

- Accelerate preparation of a comprehensive legal framework for transitional justice based on international standards and responsive to the specific characteristics of the Yemeni context.
- Guarantee the independence of institutions mandated to implement transitional justice and provide them with the necessary financial and human resources.
- Launch institutional reform programs at an early stage within security and judicial bodies.



Third: Recommendations to Civil Society

- Strengthen public awareness of the concept and objectives of transitional justice.
- Represent victims and defend their rights throughout every stage of the process.
- Play an independent oversight role in monitoring implementation of governmental and political commitments.

Fourth: Recommendations to the International Community

- Support the transitional process through technical and financial assistance and contribute to national capacity-building.
- Link international support to clear standards concerning transparency, independence, and respect for victims' rights.
- Avoid imposing ready-made models that do not fit Yemeni realities.

Urgent Priority Practical Recommendations

- Develop parallel channels for victims and civil society on the one hand and political parties and political forces on the other, enabling integration of tracks, coordination of roles, and mutual oversight.
- Build the capacities of victims' associations and civil society organizations to ensure that no party is excluded from the process.
- Establish a forum bringing political parties and political forces together on a regular basis.
- Develop the capacities of young leaders in transitional justice.
- Draw on local reconciliation efforts and Yemen's heritage of redress and documentation of violations.



Conclusion

Transitional justice is one of the most important tools available for addressing the accumulated legacy of violations and conflicts. States cannot be built on forgetting, nor can they be stabilized through revenge. Between these two alternatives, transitional justice seeks to establish a careful balance between victims' right to redress and society's right to peace and stability.

The success of this path will ultimately depend on the ability of Yemenis, across their political and social affiliations, to transform the pain of the past into an opportunity to build a more peaceful, just, and civic future—one in which the law stands above all and human dignity forms the foundation of the state.



رابطة أمهات المختطفين
Abductees' Mothers
Association



DT Institute

SAM Organization for Rights and Liberties

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