



مؤتمر الحوار الوطني الشامل
— بالحوار نضع المستقبل —

Final Report for the Second Semester of the Working Groups
For the period from July 13- September 18, 2013

Submitted to the Final Plenary of the All-Inclusive National Dialogue Conference
(Working Group on the Sa'adah Issue)

November 9, 2013



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To The Conference's Plenary

Re: Final Reports of the Working Group to the second session

Greetings...

The Working Group on the Sa'adah Issue wishes you all the best and sends you its high regards. The WG is happy to attach, herewith, the final report for the second term of the working groups which were conducted from July 13 - September 18, 2013.

Therefore;

Kindly peruse the report and issue a decision by the conference for the adoption of the decisions contained herein.

Best wishes

Waheeb Khadabakhash, Rapporteur

Nabeelah Al-Zubair, Chair



Introduction:

The Working Group on the Sa'adah issue has worked from the start in a harmonious atmosphere most of the time. At times, there had been some tensions, but within what can be considered normal and healthy, especially since the venue brings together factions that had been at war with each other.

From the very first moment, we have been keen that our dialogue, which by and large is held under the national ceiling and umbrella, to strengthen the nationalistic element by insisting to create a common ground that no one would disagree on; no matter what their doctrine or sect are. This common ground is the "nation" and made our goal the creation of "a nation big enough for all". This common ground succeeded in bringing us back to agree whenever there had been disagreements and to bring us back to the dialogue table when ever any constituency was angered and threatened to withdraw.

Since the armed conflict broke out in Damaj, we devoted ourselves to complete this report fully convinced that the solution to the war in Damaj and Sa'adah (the entire geographical area covered by the literature on the Sa'adah issue which span areas in five governorates) and for the wars in Yemen and its crises, is the immediate implementation of the outcomes of the NDC. Every solution that we introduce today to end the war in Sa'adah, and Damaj specifically, will only be a temporary solution. Mending of all the wounds in Yemen will remain interim solution and there can be no lasting solution unless we move to the post-dialogue phase which brings about deep rooted solution that lays the foundations for a strong State with a capacity to carry-out its obligations towards its citizens, both males and females.

With this vision which has accommodated the entire country, the Yemen of tomorrow which we all desire, we have been able to look deep into Sa'adah as an organ suffering from pains in a body that also suffers from the same pain much like the rest of its organs. Our decisions encompasses two dimensions: The first is specific to Sa'adah, the place, humans, infrastructure, mending damages and reconstruction, addressing the issue of the internally displaced, the entitlements of martyrs, compensation for the wounded and reparation for all of those affected amongst all parties concerned and all the citizens, farmers, craftsman, the low income, children and women. We tackled everything relevant to Sa'adah as a unit or part




of the entire Yemen. The Second dimension covers all Yemenis, since any effort to address part of the problem will be meaningless if the whole body is ill and is incapable of providing protection or provide a service.

This approach was confirmed during the phase where we discussed the roots of the problem in Sa'adah. This phase took the entire first half of the NDC. It was useful that we gave that much time and effort on the roots, because this enabled us to define the spots of weaknesses so to be able to come up with the solutions and guarantees knowing well what is needed, what we want and what we can do.

Since we are engaged in an all inclusive national dialogue, we, as a working group, treaded on the basis that our work is part of a whole, where our decisions and the decisions of the other working groups make up the sum for the whole. Likewise, other working groups such as transitional justice considered the decisions passed by the Sa'adah working group obligatory in their work. The State Building, the good governance, the military and security and the independent bodies working groups all did the same...etc. as far as the Development Working Group is concerned, most of our decisions focus on development given that one of the roots of the problem in Sa'adah is connected to development.

The only thing remaining is that we want to bring to the attention of all our colleagues in the other working groups that if our decisions had infringed on their mandates, it wasn't because we wanted to broaden our reach but rather these were a reflection of the roots of the Sa'adah issue which became urgent demands that flows into the solutions and the guarantees for non-repetition. These are the two main objectives for our work during the second semester of the NDC.

This report has now become an accomplishment. On this regard, we must give credit where its due starting with the Technical Committee and its planning, passing through the General Secretariat and the preciseness of its implementation and innovations in foreseeing the type of problems that may arise and solving them before they break out, up to the Presidium of the Conference, The Chair and the deputies for the responsibility they exhibited and for their commitment to the Conference, the rules of procedure, terms and conditions, partners and outcomes. Likewise, the Consensus Committee and the chairs of the other working groups and the tasks given to them for addressing the technical problems related to the finalization of the report. We are greatly indebted to all of those who concerned themselves with the issue



of Sa'adah and a solution to its problems, the President of the Conference, Abdo-Rabbu Mansour Hadi, his deputies, especially Dr. Yassen Saeed Noaman, Dr. Abdulkareem Al-Eryani, Mr. Saleh habrah, Mr. Mahmoud Al-Gunaid, Mr. Mohamed Qahtan, Dr. Abdullah Lamles, Ms Nadia Al-Saqaaf and the Secretary General of the NDC, Dr. Ahmed Awadh Ben Mubakrk and his deputy, Dr. Afrah Al-Zobah.


Special thanks goes to the International Envoy, Mr. Jamal Benomar and his team for the attention they gave to the working group, its proceedings and achievements, and their facilitation of the work.

Thanks go to Dr. Suad Al-Marani and the facilitator of the WG, Khadijah Al-Sarhi and the entire staff of the General Secretariat, especially the staff devoted to the Working Group on Sa'adah, Mr. Ali Abdullah Munasser, Secretariat Staff: Reem Mohamed Al-Najjar, Youmna Al-Dhawi and Zumurudah Mohamed Al-Hamdani and to the documentation team, the security team and the photocopying team. Special thanks go to the documentation officer, Manar Bawazir for her diligence and patience and for documenting all the aspects of our work.

Thanks are also due to the Working Group on Sa'adah, each and every individual and all their entire constituencies. Everyone in their own way made a special effort for reaching a consensus and exhibited a keenness to organize the work in an orderly and harmonious fashion. I ask permission of my noble working group to thank members of the solutions and guarantees sub-working group by their names:-

- Ahmed Hameed Al-Matari
- Hassan Al-Humran
- Hussain Ali Hazeb
- Jamilah Ali Raja
- Abdullah Ahmed Al-Kebsi
- Al-Wzzi Shuraim Hebatallah
- Ali Nasser Al-Bukhaiti
- Ghaleb Mutlaq
- Mabkhoot Aboud Al-Shareef
- Mohamed Musad Al-Rada'ai

The Chair of the sub-working group

- 
- Abdulhameed Hareez
 - Khaled Amin Al-Ghaish
 - Waheeb Al-Essa'ai

Special thanks go to Yehia Mansour Abu Usbaa who chaired the sub-working group for a month and had to leave for field work in the Committee on Damaj and Ms Shrafa Hussain Mohamed Alderbi, who in spite of withdrawing from the sub-group, continued to support the sub-working group and the Working Group at large with so much effort and visions. Mr. Shaif Ahmed Hussain Al-Arouah, Dr. Adel Qasem Al-Shujaa who deputized for the heads of their constituencies a number of times in the course of work. Thanks go to Mr. Fadhel Mohamed Hussain Al-Jaadi from the sub-working group on the roots and all of his colleagues who were named in the solutions and guarantees sub-working groups.

Finally, and after expressing our gratitude to the sisters and brothers the members of the NDC in the Third Plenary, we appeal to them to approve the report of the Working Group on the Sa'adah Issue as is, to the letter and spirit, given the special nature of the Sa'adah issue and the consensus reached by the parties concerned who have examined and understood every term as is in this report. On this occasion, the Chair of the Working Group would like to confirm and point out that we observed our utmost keenness not to add or omit anything in the reports of the sub-working groups (the roots and the solutions and guarantees); not even linguistic corrections because we felt that every word and letter in the report is important to all the constituencies.

Objectives of the Working Group

Overall Objectives of the Working Group:-

1. Content of the Sa'adah Issue
2. Solutions and Guarantees for the Sa'adah issue.



Detailed objectives of the Working Group:

- Adoption of the Workplan for the Second Session of the Working Group in the Conference
- Collection of information and documents on the content of the Sa'adah issue.
- Presentation of visions of constituencies on the content of the Sa'adah Issue.
- Presentation of the visions of the constituencies on the solutions and guarantees for the Sa'adah issue.
- Formulation of the final proposals for the solutions and guarantees.

Tasks Accomplished:

- Visions of the constituencies on the content of the Sa'adah Issue were submitted and presented.
- Proposed solutions and guarantees by the constituencies for the Sa'adah issue were submitted and presented to the WG.
- Community participation were collected and arranged through a sub-committee as part of the WG's Workplan.
- A min-committee to develop solutions and guarantees for the Sa'adah issue was set-up
- A matrix of proposed solutions was developed on the basis of consensus in the WG on the content of the roots of the issue and the visions presented by the constituencies for solutions and guarantees.
- Solutions and guarantees were adopted by all constituencies represented in the Mini-committee with one reservation.
- The WG voted on the solutions and guarantees. This included all constituencies represented in the Mini-Committee, with one reservation.
- The WG voted on the solutions and guarantees which included 49 articles as one package with one reservation by one constituency.



Decisions of the Working Group presented to the Final Plenary

The WG adopted 59 decisions as one package in the solutions and guarantees for the Sa'adah Issue and agreed to submit them to the Third Plenary for adoption by the NDC.

First: Solutions, Treatments and Guarantees

First: The members of the WG agreed that the word (State), wherever it appears in the report (is the State of national partnership) in all State organs and institution to be agreed upon by the members of the all inclusive National Dialogue Conference.

Second: Consensus was reached by the WG on the following decisions, solutions and guarantees.

1. Doctrinal and intellectual freedom and practice of ritual is to be guaranteed. Imposition or prevention (of doctrines and thoughts) by force by anybody should be prohibited. The State and its organs should be neutral and shall not foster or support, financial or morally or provides facilities to any doctrine or thought, as contained in the Constitutions and regulated by law.
2. The State shall reinforce its presence in all parts of Yemen and over the entire area of Sa'adah.
3. The Constitution and the Law shall prohibit and guarantees that no thought or doctrine should be imposed or presented by force. The State and its organs should be neutral in fostering or supporting any thought or doctrine. The State has a responsibility in caring for all and the prohibition of anything that instigates denominational, ethnic or doctrinal disputes and forsakes the culture of hate and glorification of civil war.
4. A comprehensive development program for the Governorate of Sa'adah and affected districts should be developed. It should have clear objectives and time bound for a period that doesn't exceed five years. It should have a specific and known budget and an executive program and a timeline covering all development sectors, including higher education, agriculture, marketing and the opening of the Aleb and Buqa'a land gateways.
5. Release of all prisoners held in connection with the incidents amongst all parties and the disclosure of those who have disappeared, those forcibly held in secret detention



and those abducted and compensate them financially and psychologically within a national reconciliation and transitional law framework.

6. Care for the families of martyrs, wounded and the disabled by all parties whether citizens or members of the military and security forces and provide them with full care. Salaries should be approved for families of martyrs and wounded in war.
7. A national conciliation, reconciliation and forgiveness between the residents of Sa'adah and the affected governorates and districts. This should be conciliation where those living in fear should feel secure and all grudges are removed. Anyone with grievance against one party or another should be compensated.
8. Return of IDP's from all sides to their homelands and houses unconditionally with no restrictions. They should be compensated for their plundered properties and possessions and all matters that prevent their return should be removed.
9. Return of those who were forcibly removed or dismissed from their jobs or those arbitrarily transferred. Their suspended emoluments and legal entitlements should be given to them including promotions and allowances.
10. Approval of an urgent program for demining and mine clearances of all affected areas or were war zones. All parties or those who have maps or information on mines should hand them offer to the competent body.
11. Develop controls for educational curriculums and private religious education to place under the oversight of the State and in line with whatever agreement is reached by all parties at the national level in a manner that strengthens the spirit of tolerance and preserves the social fabric and national unity.
12. Establishment of welfare and rehabilitation centers for the affected persons, (the disabled- psychologically and physically, women children and the elderly). The centers should be located in areas affected by the war. Vocational and technical education training centers should be established to accommodate the youth.
13. Formulation of constitutional provisions that criminalizes access to foreign funds under any title or consideration and to consider that "treason". Any behavior or individual relations outside the State shall be considered a national security crime. The State shall be responsible for establishment of foreign relations specific to security and sovereignty in accordance with the law.
14. Prevention and criminalization of foreign interventions in the affairs of Yemen and an end to support to groups or individuals.



15. Prohibition and criminalization of the use of the army in internal conflicts.
16. Criminalization of venturing in international and regional relations of Yemen for personal appeasement, doctrinal or partisan tendencies or in implementation of international wishes that contravene the interest of the people and national sovereignty.
17. Disclosure of information that lays the foundation for a real and transparent solution of the Sa'adah Issue and assists in the solutions.
18. Establishment of neutral and independent committees or bodies for data collections and screening to include representatives from the affected areas and the Sa'adah reconstruction Fund to be presented to competent bodies.
19. Implementation of the 20 points relevant to Sa'adah.
20. Disarmament and recovery of State owned heavy and medium weapons from all parties, groups, parties and individuals which were plundered or seized nationwide within a specific timeframe and simultaneously. Possession of heavy and medium weapons through trade is prohibited. Such weapons shall only be in the possession of the State and the law should regulate possession of personal firearms.
21. Building of a central State along nationalistic lines to enhance the principles of good governance, national partnership, justice, equality, rule of law, neutrality of the security and military institutions, separation between powers and to guarantee and protect rights and freedoms.
22. Restructuring of the State's military and security organs on the basis of nationalistic and scientific foundations.
23. The decision to declare war and peace is a national decision to be taken through the parliament and shall be regulated by the Constitution and the Law.
24. Compromise of national sovereignty under any circumstances or reliance on foreign forces in internal conflicts should be criminalized.
25. The Ministry of Information should be abolished and replaced by an independent national body with oversight over the media.
26. Respect for the public service, equal citizenship rights and subject them to foundations and standards of good governance. Exclusionary and forced removal policy of individuals for their political positions or opinion should be criminalized.
27. The Ministry of Education and the Ministry of Higher Education should be ordered to solve the problems of female and male students affected by the wars in Sa'adah and



other affected areas. This should be done through a flexible program to enable them to take tests on study subjects for more than a year according to their capacities in order to enable them to catch up with their colleagues and peers in the same age. This should apply to all universities. Those affected by the war in Sa'adah and other areas should be given a 10% reduction of the admission grade average required by universities for ten years starting the application of this exception.

28. Launch a program with a timeline to support the livelihoods of affected areas from the conflict to improve their economic conditions and the adoption of programs that support small and medium enterprises in those areas, especially those affected by the war and according to the level of deprivation and needs.
29. Effective national partnership in all State's institutions through commitment to democracy, political plurality, partisan plurality and peaceful transfer of power through free, fair and transparent elections.
30. Reaffirmation of the freedom to establish political parties and prohibition of partisan military or Para-military formations. Any political change by force or armed force should be prohibited. Political parties based on regionalism, factionalism, tribalism, doctrinal, sectarian or professional grounds should be prohibited.
31. National partnership in the government through a constituting phase and, after that, the government can be formed on the basis of the elections that will follow the constituting phase.
32. To quickly accommodate and integrate the sons of Sa'adah and the affected governorates from the wars in all State organs and institutions in par with their counterparts from other political forces during the transitional period.
33. The Government shall develop an executive plan with a timeline for the implementation of the 20-points and the decisions included in this report within a period not to exceed a month from the closing date of the NDC. Priority should be given to the implementation of all those relevant to the rights of the people affected by those wars.
34. To address the vengeance and disputes resulting from the Sa'adah wars within the transitional justice and national reconciliation framework.
35. The State should consider and treat the victims of the Sa'adah wars from all sides as Martyrs and shall sponsor their families and the wounded similar to the wounded of



- the popular youth revolution and the Hirak and through a fund and one Republican decree without any discrimination.
36. Restructuring of the Political and National Security organizations and definition of their roles and responsibilities so that they maintain the security of the country in a manner that doesn't conflict with human rights. The Judiciary and the parliament should have oversight over the work of these agencies.
 37. The State, exclusively, shall be responsible for tax and Zakat collection and any fees imposed in accordance with the law at the national level.
 38. Evaluation of all State buildings and properties and private properties by any party. The Mosques, at the national level, shall be returned to the philanthropists and to invoke the terms made in the will of the philanthropists or those representing them. Mosques shall be subject to the oversight of an independent body to manage endowments.
 39. The State shall care for victims of the armed disputes including women and children who have lost their head of household, other than the families of martyrs and the wounded, who were living on the low-income professions and handcrafts and whose income had been affected due to the events. The State shall continue to provide welfare for them until they have been able to forge a livelihood and improve their economic situation. For that purpose, the State shall work to enroll them in rehabilitation and vocational training programs and social security.
 40. To accelerate the completion of the implementation of the Republican Decree for the establishment of the Sa'adah University.
 41. Criminalization of the exercise of political parties and organization political activities within the military and security organizations and the judiciary and the exploitation of mosques and the public service in favor of the party or the organization. Such crimes shall be considered sufficient ground for the dissolution of the party or organization.
 42. The Government shall compensate all institutions and libraries which have been affected by the wars in Sa'adah and to return everything that was taken from them or expropriated including manuscripts, books and others and to compensate for any other damages done.
 43. Review the legal status of all Arabs and foreigners and take the needed legal action.
 44. Issuance of a republican Decree to establish a consolidated fund for the welfare of the families of martyrs and wounded of the youth revolution, Hirak, the 1994 war, the



Sa'adah war and the Tihami issue to be constituted by all those parties so that everyone would be treated on the basis of the same criteria.

45. The Government should commit to the implementation of the outcomes of the Working Group on the Sa'adah issue by developing a matrix of action for the implementation of the decisions agreed upon on a neutral and transparent manner. This should insure the application of the solutions so as to benefit all those affected and entitled from all parties without any discrimination.
46. Citizens should enjoy full intellectual, doctrinal and personal freedoms and are free to practice their rituals in all areas of Yemen irrespective of the body which has strong influence over that area.
47. The State shall commit to supporting the farmers through the establishment of specialized agricultural banks and to activate what already exists. It shall provide financial support in the form of interest free soft loans for 10 years. It shall establish an export body which would be responsible for the export and storage of agricultural products, construction of dams and the provision of modern irrigation projects for farmers.
48. The Government shall approve the job grades allocated for the Governorate of Sa'adah which were not used due the wars and to compensate the Governorate for job grades transferred to other governorates on the basis of a publically advertised vetting process. All sons of Sa'adah should be given equal opportunity to compete for such jobs based on objective educational qualifications.
49. The Government must develop an emergency plan with a time line and a clear executive mechanism for the reconstruction of Sa'adah and Harf Sufian and other areas affected by the Sa'adah wars. The reconstruction should include all public and private properties destroyed by the war irrespective of the parties involved and to compensate those affected who lost their properties. This shall all be done through the activation of the Sa'adah Reconstruction Fund and the provision of the sufficient fund from the States treasury to cover the needs.
50. The Government must compensate anyone who was detained, imprisoned, tortured or frightened or abused during the wars in Sa'adah by any of the parties involved.
51. The Government shall treat the families of disappeared persons due to the wars in Sa'adah in the same manner as the families of martyrs and to reveal their whereabouts immediately whether they have died or are still alive.



52. Formulation of school curriculums and teaching aid material for public and private schools in a manner that accommodates the principles of the new constitution and the common ground between various religious doctrines and intellectual schools and shall remove points of contention from the textbooks. A competent high national commission should be set-up for the purpose.
53. Any audio-visual production or any oral reference verbal or in writing published or broadcast through public or private forum which defames any natural or legal persons or incites against them due to color, sex , lineage, ethnicity, creed, doctrine, sect, place of birth, vocation, economic or community activity or living standards, thought, affiliation shall be deemed racism. Racial discrimination should be criminalized as defined above. Penalties shall be imposed by law on anyone who practices at a personal level or on behalf of a government's or non-governmental persons if such bodies don't relief themselves of the responsibility for the person or the racist offence.
54. The constitution shall provide that all citizens, males and females, are equal in rights and obligations. They have the right to run for public office without any discrimination on the basis of ethnicity, color, doctrine, creed or region.
55. Ansar Allah should withdraw their check-points and any act that conflict with the obligations of the State. This should be done in concert with the absorption of their members in all government institutions and organs.
56. Cancel the appointments which were made in contravention to the law and terms and conditions for appointment to public jobs and the job rotation law since 2004 and the return of those who were forcibly removed from public service.
57. Addition of the following text to article (8) related to the return of IDP's "Their return shouldn't be dependent on any other political and administrative folio".
58. Nullification of all secret and public agreements which have permitted and allows the use of Yemeni land, water and air for American forces and planes or any other forces for reconnaissance, air strikes or any other military operation inside the country, and anything that undermines national sovereignty in any form. The State and international human rights organization should submit a complaint to international bodies to demand compensation for the victims of such crimes and abuses and to prosecute responsible bodies who carried out such acts.
(The Southern Hirak, GPC and the presidential list constituency- Jamilah Ali Raja-registered a reservation on the formulation of this article).



Annexes