



Civil Society Space: Dynamics of Repression and Challenges

A Field Study on Civil Society Space in Yemen During the Conflict Period
(2014 – 2023)



Mwatana
for Human Rights

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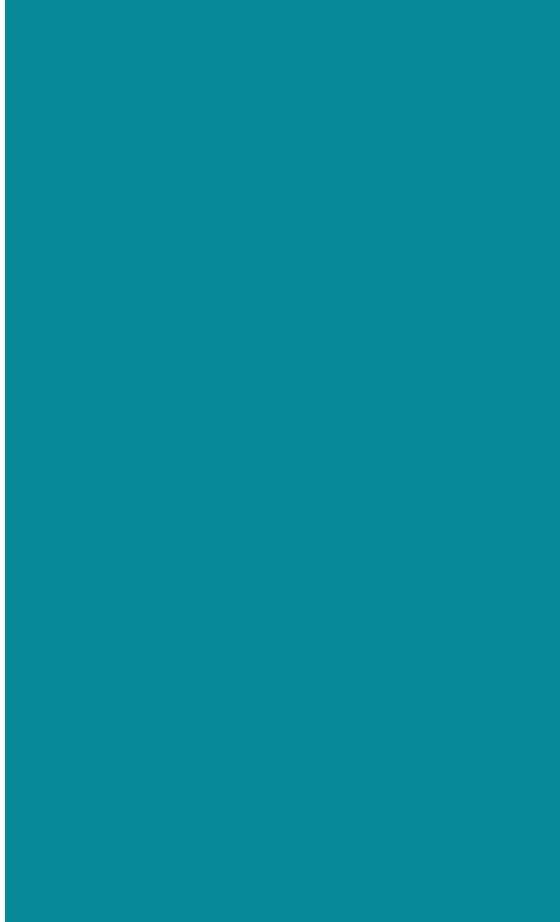
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Executive Summary

The study examines the reality of civil society space in Yemen during the ongoing armed conflict since late 2014, including its legal, administrative, and political characteristics. Based on compiled data, it explores the system of repressive restrictions, measures, and violations practiced by conflict parties against civil society space in its various domains and activities. It extensively discusses the protection mechanisms available for civil society space during the armed conflict, as well as the responses and coping strategies of civil society in dealing with repressive practices and measures of all forms, including innovative approaches to preserving its remaining available civic space. The study also examines the perspectives of donor communities on the new constraints and difficulties they face, as well as their roles and partnerships with civil society in the context of the armed conflict. It provides an evaluative discussion of the internal environmental elements of civil society in Yemen, highlighting the nature of the challenges and self-imposed obstacles resulting from the conflict's impact on the inherent weaknesses of civil society. The study includes an analysis of the diverse effects of systematic repression against civil society space, including long-term future implications. It assesses the strengths of civil society from the viewpoints of leaders of civil society organizations who participated in the study, as well as the potential opportunities for enhancing civil society's capacity to withstand repression and mitigate its multifaceted impact on civic space.

Methodology

The study employed a survey method with a sample size of 70 active civil society organizations during the armed conflict. These organizations were purposefully selected from nine Yemeni governorates, namely Sana'a, Aden, Taiz, Hodeidah, Hadramout, Marib, Shabwah, Abyan, and Saada. The sample represents all forms of civil society (non-governmental organizations, associations, unions, federations, research centers, initiatives) and their fields of operation (human rights, humanitarian, relief, youth capacity development, peacebuilding, etc.). The sample selection aimed to ensure the inclusion of the key conflict parties (internationally recognized Yemeni government, Ansar Allah (Houthi) armed group, Southern Transitional Council, Joint Forces in the West Coast) and the active presence of the represented civil society organizations on the ground. It also considered the visible level of independence and non-alignment of the civil society organizations with any conflict party, in accordance with the theoretical concept of civil society as an independent domain separate from political power structures in all their forms. The individuals interviewed, as representatives of their organizations in the sample, held senior managerial and executive positions (chairpersons or executive directors) and had complete information about their organization's situation and experiences. Therefore, the obtained information reflects the

opinions, experiences, and perspectives of civil society leaders in Yemen, both male and female, during the armed conflict.

In addition to the sample, the study gathered information from 80 qualitative cases that represent various categories of stakeholders, including human rights defenders (activists), heads of governmental and non-governmental offices responsible for civil society affairs, whether by law or de facto, Yemeni experts specialized in civil society issues, representatives of international donors and partners of civil society in Yemen, as well as ordinary citizens. The analysis and presentation of the collected primary data employed a mixed quantitative and qualitative approach to yield the best results.

An interview guide that was specific to the sample and other appropriate guides that were tailored to each category of the targeted stakeholders were designed. The process of collecting interview-based field information lasted for two months, from mid-June to mid-August 2022. A team of human rights defenders, some of whom work for Mwatana for Human Rights (Mwatana) in the mentioned governorates, collected the data after receiving intensive training on conducting field interviews for scientific research purposes. The team was provided with guidelines and instructions regarding informed consent, ensuring the respondents' privacy and data protection, adhering to professional and ethical fieldwork standards, and complying with Mwatana's code of conduct. All interviews with individuals from the sample and other targeted categories were conducted in person, except for one interview that was conducted via Zoom with a representative of an organization temporarily residing outside the country.

In August 2022, Mwatana conducted a focused discussion via videoconference with representatives of donors and international partners. The session focused on the difficulties and obstacles faced by these international entities, as well as the partnership conditions with local civil society in Yemen during the conflict. This session served as a source of information and perspectives on the subject. Additionally, Mwatana held two consultative sessions, one prior to the implementation of the fieldwork, involving representatives of local civil society organizations, experts, and academics in the field, where ideas were shared regarding the study's topic, plan, methodology, and interview guides prepared by a local specialized expert. The second session, held after the fieldwork, aimed to present the study's draft themes and findings for discussion, feedback, and enrichment.

On a theoretical level, the concept of civil society space was carefully examined based on contemporary literature, which was reviewed by the local expert who initially prepared the study during the design phase and field research. The study approached the legal aspects

related to the rights of civil society, human rights defenders, and the specifications of the enabling environment for civil society. It also explored the various harmful practices against civil society space and classified civil society space based on the current international legal experience in these aspects. This was done in light of relevant decisions issued by the United Nations General Assembly and the Human Rights Council, as well as the reports issued by the United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, and the Special Rapporteur on Freedom of Expression and Opinion. The study also considered some international guiding documents, such as the guidelines on the space available for civil society and the United Nations human rights system, and reports from the Global Alliance for Citizen Participation (CIVICUS), which analyze the respect for and support of the three rights of civil society. However, the study considered the specificities related to civil society spaces in the context of conflict. On the other hand, the study drew on some key themes addressed in literature that discussed civil society in Yemen during different periods, some of which tangentially touched on the current context.

Repressive and Semi-Closed Space

In the context of the armed conflict, Yemen lacks a safe and enabling environment for civil society, human rights defenders, and activists, both legally and practically. The right to work freely without the interference of the government or arbitrary authorities is completely absent. The right to form associations is theoretically available, but in practice the exercise of this right faces obstacles that make it difficult to ensure streamlined and timely registration procedures. The right to expression and freedom of the press is subject to radical and extensive legal and political measures, including the closure of independent newspapers, censorship of online publications, arbitrary arrests, enforced disappearances, and torture of journalists and opinion leaders. Protesters exercising their right to peaceful assembly face excessive violence and, in some conflict areas, even considering exercising this right puts their lives at risk. The internationally recognized government and the de facto authorities do not explicitly impose a ban on external funding. However, the right to seek resources and access external funding is effectively restricted by mandatory prior approval and faces a series of complex bureaucratic obstacles. Civil society must navigate through authorities that exercise real control over funding based on narrow interests. There is an absence of clear, transparent, and fair criteria that ensure that genuine and independent civil society can access sufficient resources and enhance its international partnerships.

Patterns of Repression Against Civil Society Space in Yemen During the Conflict

This theme analyzed the motives of the conflict parties that drive their repressive behavior towards civil society space, in relation to the characteristics, orientations, and long- and short-term goals of each party. It revealed common features of the pattern of systematic repression that seems to have emerged as a cumulative result of a series of continuous repressive behaviors practiced by all conflict parties, despite their variations. The aim of this axis was to ensure the coherence of the subsequent data presented in the study and confirm their consistency.

Approximately 94.3% of the included local organizations reported being directly subjected to arbitrary restrictions, violations, and violent and flagrant reprisals outside the law during the armed conflict. This high percentage demonstrates the intensity of the repressive measures that affect all components of civil society in Yemen, including all its civil, rights-based, relief, and humanitarian activities without exception. Meanwhile, the violations and violent attacks reflect the definite and high degree of violence and the risks faced by civil society space in all its components during the conflict.

The wide range of restrictions on and violations against civil society indicates the existence of a comprehensive and non-routine approach to repression practiced by the warring parties. Despite the varying characteristics of the conflict parties, the common denominator among them is the production of a wide and continuous mixture of repressive policies and behaviors towards civil society space. Their shared objective is to maintain permanent control over this space, manipulate its activities, and undermine its autonomy. In the context of the multi-party armed conflict, civil society space appears as an open arena with its own attractiveness, given its severe lack of protection. This serves to affirm the authority of each conflict party and demonstrate its ability to exert control while imprinting its own influence on wider society within which civil society operates. The practice of repression serves as a strategic direction, particularly for conflict parties that feel vulnerable in their legal existence. They are driven by long-term goals related to changing the image of society and the state in Yemen. In such cases, the real civil society and its civic space face quasi-eradication tendencies aimed at replacing them with an artificial civil society. This trend applies to both the Houthi group and the Southern Transitional Council. However, the varying characteristics of the conflict parties do not have a decisive impact on the nature and types of repressive practices exercised against civil society organizations and activists. Even the government, with its recognized legal authority, practices similar repressive policies in areas under

its control, including physical assaults and retaliatory acts outside the law. Like the other parties, it also encourages the establishment of civil society organizations that are loyal to it in order to disrupt real civil society and diminish its significance.

The study found that the conflict parties refrained from openly and explicitly changing the relevant legal framework governing civil society, specifically Law No. 1 of 2001 concerning civil society associations and institutions. However, they effectively moved their relationship with civil society outside its supposed legal context, depriving civil society organizations of their rights and legal guarantees. The overall procedural restrictions imposed on civil society space either originate from outside the existing legal frameworks, or belong to the vague and ambiguous space within the specific law governing civil society and its executive regulations. Conflict parties have expanded this space through unjust and arbitrary practices to criminalize multiple forms of civil activities, harass civil society, and instill fear.

The study identified three patterns of administrative control over civil society space that differ among the conflict parties. In the first pattern (substitution), the Houthis impose tight control over civil society and activists through unofficial administrative structures they have established for this purpose. They assign these structures most of the tasks and powers of the official administrations that have the original authority to regulate civil society affairs and supervise it according to the law. This substitution pattern of administrative control also appeared, to a lesser extent, in areas under the control of the Joint Forces, specifically in the coastal city of Mokha. In areas under the control of the Southern Transitional Council, especially in Aden, a hybrid pattern of administrative control dominates civil society space. Official legal administrations work alongside unofficial structures established by the Southern Transitional Council and jointly oversee civil society, with the unofficial structures having a greater influence and dominance. They impose strict repressive measures on civil society space outside the law and exercise police-like surveillance over civil society and activists. In areas under the control of the internationally recognized government, the official legal administrations, such as the offices of Social Affairs and Labor and those of the Ministry of Planning and International Cooperation, still operate within their legal powers and carry out effective tasks in granting and renewing licenses, as well as monitoring civil society organizations, without parallel unofficial structures or overlapping jurisdictions.

The study discussed the impact of differences in administrative control structures according to conflict zones on patterns of restricted administrative measures and procedures against civil society space. It was found that the variation in administrative control models over civil society does not reflect significant differences related to the types

of restricted measures issued by different administrative structures (official and unofficial) against civil society space. However, there appears to be a limited relationship between the level of officiality of the relevant structure and the intensity of its restrictive measures or arbitrary control imposed on civil society. Official structures seem less inclined to restrict civil society or impose arbitrary control compared to unofficial structures. The likely reason for this is the presence of bureaucratic employees within official structures who, due to their legal training and professional practices, have a particular appreciation for independent civil work. On the other hand, unofficial structures are composed of individuals who have received negative indoctrination against non-aligned civil society organizations and often lack the minimum professional standards and necessary legal background to deal with civil society issues. When asked about the role of their (unofficial) administrations in monitoring activists in civic space, those responsible in these structures responded that monitoring activists falls within their duties and proudly cited actual examples. In contrast, those responsible in official administrations unanimously agreed that their administrations are not legally authorized to monitor activists and do not actually do so.

However, while non-state conflict parties generally implement a unified approach to restricted measures against civil society, applied across their areas of control, similar governmental measures have a clear chaotic nature and are shaped by complex and diverse local dynamics. In two governorates under government control, administrative structures can impose asymmetrical administrative requirements on local organizations performing the same roles and activities. The control over harmful repressive practices against civic space in areas under the control of the internationally recognized government is no less complex than the control over more deliberate and planned repressive tendencies in other conflict areas.

Direct Causes for Repressing Civil Society Space

The study presented the perspectives of the included civil society organizations on the direct causes of the repression they individually faced during the conflict period. The provided explanations embodied the practical experiences of the organizations and their individual encounters with repressive measures. It was observed that these explanations generally aligned with the overall interpretations of the repression discussed in the report's first theme, although some of them highlighted specificities that will be mentioned later.

A significant portion (32.0%) of the local organizations in the study attribute the repressive practices they face to political, partisan, and regional sorting and classification processes carried out deliberately by the conflicting parties in their respective areas of control. The

parties to conflict establish arbitrary criteria to determine what constitutes “National Loyalty” and categorize civil society practices based on whether they align with this concept or not. The parties utilize administrative arbitrary restrictions, measures and violations as punitive measures against local organizations that are politically, partisan, or regionally categorized, or that are deemed to lack in “patriotism” according to their definition. As a result, the targeted organizations endure harassment, burdensome administrative procedures with no clear limits, or excessive arbitrary control that hinders the implementation of their activities, leaving them with limited room for independent work. They are subjected to direct acts of violence that target their employees, buildings, and property. In some cases, the repressive practices serve various aims, including imposing changes on the agendas of the targeted organizations, manipulating their leadership, coercing them to dismiss employees or hire loyalists, reducing their autonomy, pressuring them to align with certain affiliations, or even forcing them to cease their activities entirely.

Another group of local organizations included in the sample (22%) attributed the repression they experienced to prevailing administrative conditions within both official and unofficial administrative structures responsible for overseeing civil society. It is challenging to view the set of restrictive administrative behaviors towards civil society without considering them as intentional or unintentional reflections of the dominant tendencies within these administrations driven by the conflicting parties. In many instances, conflict parties categorize all matters related to civil society under the “security file” status. Consequently, executive administrations feel compelled to exhibit bureaucratic strictness towards civil society to align with the security vision and avoid potential consequences. However, administrative repression against civil society can also stem from circumstances arising from a lax and corrupt administrative bureaucracy, independent of any directly guided policies from the conflict parties. Factors such as obstinacy stemming from personal values and inclinations of managers, fluctuating moods, rigid routine procedures, poor adherence to official working hours, and the procrastination and inefficiency of some employees for personal gain through financial exploitation contribute to the repressive environment. These factors are driven by latent and deeply rooted issues within the administration. These challenges are particularly prevalent in the context of salary delays, reduced operational budgets for executive administrations, or even their complete cessation. The multitude of entities involved in civil society affairs with overlapping jurisdictions in many areas and administrative changes made without fair assessments of their impact on civil society exacerbate the situation. Additionally, the study reveals that the expectations of administrations regarding the personal benefits that managers or employees can obtain from projects significantly influence their interactions with civil society organizations in various conflict-affected areas in Yemen.

Apart from the aforementioned factors, organizations, particularly human rights organizations representing 19.0% of the sample, provided specific explanations for the repression they faced, attributing it to the unique nature of their human rights activities. They believed that the conflict parties displayed heightened sensitivity towards these activities, which directly resulted in a higher degree of repression. However, the data collected in the study only partially and slightly supported this perspective. Among the 12 arbitrary restrictions, measures, and violent violations examined in the study, human rights organizations in the sample faced a higher degree of only two restrictions compared to organizations working in the four other most represented sectors. These two restrictions were related to freedom of access to information and facts, and freedom of peaceful assembly. Conversely, organizations active in each of the four sectors individually experienced higher rates of arbitrary surveillance and restrictions on the right to movement, surpassing the percentage of human rights organizations facing these two restrictions. The remaining restraints and repressive measures, such as physical attacks on individuals and buildings, financial restrictions, incitement, and defamation campaigns, were distributed in a manner that did not reveal a comprehensive and consistent pattern related to the field of human rights activities or any other field in a reliable manner.

The conflict parties apply their repressive practices intensively across various sectors of civil society, without meticulous attention to the professional differences between them. This is because the conflict parties fundamentally do not accept or support civil work conducted independently of them. A significant lesson derived from the study of the repressed civic space amidst the armed conflict in Yemen is that the conflict parties' sensitivity towards the autonomy of civil work outweighs their sensitivity to the nature of the activities themselves. While each type of civil activity has its own "specific sensitivity" within the context of the conflict, variations in this sensitivity exist among the conflict parties. Independent civil activities related to empowering youth and developing their capacities and life skills may provoke anger as the conflict parties perceive this group as a potential recruitment source and a target for mobilization. Trade unions and professional associations' activities can signal mass mobilization against the policies of the conflict parties. Additionally, humanitarian and relief activities are viewed as sensitive by the conflict parties due to their potential to provide independent organizations with daily access to local communities. Some conflict parties may perceive this as a means to alter the values of these communities by exploiting their vulnerability and needs.

Furthermore, 17% of representatives from local civil society organizations stated that the repression they faced was primarily due to general reasons related to the armed

conflict, including the deterioration of the security situation and the implementation of exceptional measures that did not specifically target their organizations alone. Additionally, a limited number of organizations (10%) highlighted the lack of clear and direct causes for the repressive measures and practices they experienced, especially considering their full compliance with procedures and instructions issued by the relevant authorities.

Types and Practices of Restrictions and Violations against Civil Society Space

The study examined various types of restrictions and violations experienced by civil society organizations as reported by participating organizations. It was observed that most local organizations faced a range of individual restrictions and violations rather than being limited to one or two specific ones. The most prevalent practices encountered by organizations included arbitrary surveillance (14.9%), restrictions on freedom of movement (14.1%), limitations on freedom of expression, access to information and facts (12.9%), administrative restrictions (11.7%), physical attacks on staff and buildings (10.9%), and financial constraints (9.0%). Some of these restrictions and measures had a general nature, intended as disciplinary measures that the conflict parties believed should apply to all organizations in their controlled areas. However, their application varied in severity and approach across different conflict zones, and sometimes organizations could find ways to evade or mitigate certain measures based on realistic dynamics.

These general measures included the requirement for all local organizations, even those with valid legal licenses, to undergo re-registration. Organizations were also required to obtain work permits from multiple authorities for each activity, project, or event they intended to implement. Moreover, they were compelled to obtain licenses from security authorities, and their access to external funding was restricted. Representatives affiliated with the conflict parties were assigned to monitor the field implementation of projects, activities, and events to ensure compliance.

Within this framework of general measures, arbitrary control applied throughout the stages of civil work. It took various forms that enabled the conflict parties, through their administrative structures, to directly intervene and demand detailed information related to civil activities. Arbitrary control expanded as the civil society movement grew and its activities and projects diversified. Arbitrary control was not limited by specific administrative procedures with predetermined timelines, and organizations could only partially evade it through activities conducted in a non-public manner, such as limited access to victims of violations for documentation and monitoring, sharing verified information secretly with

international partners, conducting online discussions via video technology, or creating restricted work groups on certain social media platforms. Arbitrary control remains pervasive, unaffected by legal or administrative considerations or other measures imposed by the conflict parties themselves. Through arbitrary control, previously obtained work permits could be suddenly revoked, and projects or activities could be terminated shortly before or during their implementation, regardless of proper procedures and the availability of required administrative documents.

There is another asymmetrical set of repressive measures and practices that some organizations faced more than others, so they are not characterized by their generality. This is due to many overlapping factors, and sometimes coincidence and circumstances of place and time play a role in this. These factors include differences in internal geographic environments and societal diversity, the multiplicity of conflict parties and their varying capacities to exert control, and the varying intensity of military operations and other factors. For example, independent organizations in the areas controlled by the Southern Transitional Council faced discrimination on a regional basis. Most cases of complete closure of independent organizations occurred in areas controlled by the Houthi group, and organizations and activists in those areas exclusively faced restrictions on travel without a guardian. At different times during the conflict, local organizations were subjected to indiscriminate shelling due to their proximity to military confrontation sites. Organizations in internationally recognized government-controlled areas faced violence, violations, and armed robberies exclusively perpetrated by armed individuals and non-regular armed groups. In Taiz governorate, which has been besieged by the Houthi group since 2016, local organizations faced additional difficulties and restrictions on movement.

Within the same context, human rights defenders, including activists, civilians, human rights activists, and journalists interviewed in the study, experienced various repressive measures, including threats, kidnappings, physical assaults, restrictions on freedom of expression, defamation campaigns on social media, and travel restrictions. They were also politically and party-wise categorized due to their neutrality in their work or for addressing corruption issues related to individuals or entities associated with the conflict parties.

Supporters and partners of local civil society, including international non-governmental organizations and international entities, faced significant restrictions on their work and freedom of movement, particularly related to challenges in obtaining approvals and permits from the relevant authorities.

Available Protection Mechanisms and Civil Society Responses to Repressive Measures

During the armed conflict in Yemen, civil society demonstrated a severe lack of effective protection mechanisms and measures to address violations, restrictions, and repressive actions that target its civic space. This includes legal protection, mechanisms for reporting and filing complaints with domestic legal authorities, as well as with international human rights organizations and entities concerned with civil society issues. Approximately 57.1% of organizations in the sample reported the absence of any protection mechanisms against violations and restrictions, while the remaining organizations (42.9%) mentioned the availability of protection mechanisms such as advocacy campaigns, civil solidarity, and legal protection through the judiciary. However, most of these organizations considered these mechanisms to be ineffective. The situation is even worse for human rights defenders, as they, as independent individuals, are vulnerable to being easily overtaken by the authorities without fear of repercussions.

Civil work in the context of a multi-party and chaotic armed conflict is akin to a deadly risk, and its consequences are unlike those faced by a silenced civic space in authoritarian or semi-authoritarian environments without open conflicts. In such a conflict context, it is also challenging to anticipate comprehensive and effective civil responses to deal with repression, or to assume that these responses would take place without adhering to the basic standards imposed by the conflict parties. These standards are protected either implicitly or explicitly by the power of weapons, and they are subject to immediate and severe enforcement unless the parties themselves later discover, through their own experience, that insisting on their implementation is not fruitful due to their violent collision with reality. Sometimes, these standards are partially applied or simply forgotten without officially declaring a retreat to maintain their significance and prestige. According to the study, civil society responses and ways of mitigating the forms of repression in the context of the conflict seemed uncoordinated, temporary, and very cautious. Their aim was to preserve oneself and to preserve survival and continuity. These responses were concentrated in three forms:

1. Adaptation to repression through various methods: This was reported by 44% of organizations in the sample. Many civil society organizations sought to acquire new roles, diversify their activities, and create additional spaces for civil work whenever their original workspaces were heavily constrained or violated. Diversification or addition of new activities, particularly engaging in relief and humanitarian activities for organizations primarily engaged in other types of activities, were also observed.

Additionally, intentional changes were introduced in the usual methods of work, such as using online platforms as spaces less prone to restrictions and surveillance when implementing cultural, artistic, awareness-raising, human rights, and social programs or political simulation programs. Among these methods, some activities were deliberately carried out with secrecy and confidentiality or involved selectively inviting participants to cultural and dialogue activities, changing the locations of activity implementation, or reducing sensitive activities at specific times and postponing them to more opportune moments. The peak of adaptation was reached when some local organizations temporarily froze their activities before resuming them or relocated their headquarters to less risky areas.

2. Limited negotiation and opening channels of communication: This approach was followed by 32% of organizations in the sample. The mechanism of communication and negotiation was momentary and dealt with a limited number of problems faced by local civil society organizations. It demonstrated reasonable effectiveness, according to some organizations, in overcoming bureaucratic and procedural obstacles encountered by local organizations. Negotiation provided a reasonable space for personal influence, utilizing relationships and social status.
3. Public condemnation and individual protests: This approach was practiced by 16% of organizations individually as a rejection of repressive measures and violations they experienced. This form of response was less prominent in the study as it signals that the organization resorting to it is on the verge of confrontation or unpredictable escalation with the conflict parties. 8% percent of organizations in the sample did not exhibit specific responses to repressive practices they faced or refrained from disclosing them for unknown reasons.

Human rights defenders predominantly chose silence, enduring violations, as defending or openly rejecting can lead, according to the interviewed activists, to revealing their identities. This could subject them to further restrictions and persecution, and potentially eliminate their chances of survival, especially since their rights are ambiguous in Yemeni laws and their activities lack clear legal protection even in theory. As a result, human rights activists employed various methods of adaptation, such as creating accounts on social media platforms under false names, cautiously interacting in their immediate social environment, implementing activities with secrecy and confidentiality while exhibiting a high level of compliance with restrictions when conducting activities that may require access to official information, and building personal relationships with influential individuals to avoid or mitigate repression when it occurs.

Impacts of Repressive Measures on the Civil Society Space

Repressive measures employed by conflict parties had both general and specific effects on five levels, which were identified based on the responses of the participants. At the first level, concerning the impact on civil society performance, repressive practices had wide-ranging effects according to 65.7% of the organizations included in the study. These effects included the forced suspension of local organizations' activities permanently or temporarily, a reduction in field activities, the implementation of activities with low effectiveness under direct arbitrary control, the suspension of ongoing projects due to multiple requests for work permit renewals from different authorities, and the delayed or complete failure to implement other projects.

The bureaucratic measures and procedures resulted in an endless series of financial, administrative, and technical consequences that weakened the capacities of local organizations and placed them in a critical position vis-à-vis their external funders. These consequences included increased project implementation costs in a deteriorating economic situation, prolonged project readiness due to repeated administrative suspensions, difficulties in conducting evaluations and measuring project impact due to funding depletion and allocation of funds to unplanned administrative transactions. As a result, local organizations were deprived of obtaining additional funding due to the loss of trust from external supporting entities, especially those with limited awareness or no knowledge at all—according to some local organizations—of the nature and intensity of the burdensome administrative complexities imposed by conflict parties' affiliated entities. These external supporting entities were not aware of the daily struggle faced by local civil society in the face of various repressive practices.

At the second level, the restrictive administrative measures specifically transformed civil society space into a semi-closed space, especially due to the restrictions imposed on the right to form organizations. Despite the presence of several organizations within the sample that managed to escape strict registration restrictions (26 organizations out of a total of 70 in the sample), the distribution map of emerging independent organizations during the conflict period revealed dispersion and imbalances in the growth of civil society across the areas controlled by conflict parties. This disparity deepens the gap in the uneven growth of civil society nationwide.

Regarding the impact of the repressive measures on sustainability, the capacity of civil society organizations to carry out sustainability-enhancing activities and long-term

capacity building sharply declined. Their ability to implement non-emergency social projects diminished, and it became more difficult to plan their work according to annual plans, as this requires a certain level of stability. Additionally, the organizational structures of civil society organizations suffered various types of damage during the conflict due to forced replacement of leadership, regular staff attrition due to financial unsustainability, emigration of some civil society leaders abroad, or their migration to work for international organizations with attractive salaries. Furthermore, members of administrative bodies were geographically dispersed across the country, organizational communication and coordination among them was weak, and there were difficulties arising from the lack of leadership and management expertise in some emerging civil society organizations during the armed conflict.

The shift in the interests of international donors towards emergency relief and humanitarian work contributed to the decline in the sustainability of local organizations. While the transformation of the activities of some local organizations into relief and humanitarian work had a positive role in enhancing their ability to survive, several local organizations considered activities in these fields to be non-sustainable. Furthermore, there were real difficulties in localizing relief and humanitarian work. On the other hand, external funding played a vital role in supporting the continuity of civil society and bolstering its resilience during the conflict. 77.1% of the local organizations in the sample stated that external funding played a fundamental role in supporting the continuation of their activities. However, a group of recipient local organizations (specifically 27% of them) complained about the concentration of external funding on short-term and small-scale project implementation.

Donors who participated in the study session expressed a preference for building long-term strategic partnerships with local civil society in Yemen. However, the limited experience, fragility, organizational and institutional weaknesses of civil society, coupled with its inclination towards short-term and quick-result-oriented work, have hindered the development of fruitful strategic partnerships. In contrast, scattered opinions from representatives of civil society organizations indicated that international aid entities showed an exaggerated sensitivity towards the expected reactions of the conflict parties regarding their relationships with local civil society organizations. This resulted in a lack of concern for building productive strategic partnerships with Yemeni civil society. Aside from the financial support provided routinely by external donors, they mostly tend to leave civil society to face the conditions of repression during the conflict on its own. The Limited friendly impressions between local civil society and international aid entities indicate tangible damage to the relationship between them during the conflict period, which could escalate if Yemeni civil society does not promptly engage in explicit and transparent dialogues with international aid

entities regarding the nature and scope of external assistance, as well as the legal and ethical standards for civil society support and advocacy in the context of the ongoing armed conflict.

Regarding the impact on the actual independence of civil society, the study suggests that the independent practices of an unknown number of organizations may have been continuously eroded due to increasing financial difficulties and the bitter experiences of repression faced by some local organizations. Local organizations stated that they were forced to accept payments and financial grants from conflict parties when operating in their controlled areas, while the conditions of repression compelled others to engage in an unequal system of exchanging benefits with authorities in conflict areas. Most civil society representatives in the study used similar adjectives to describe their organizations' relationships with authorities in different conflict areas, which overall conveyed suspicion and mutual lack of trust (ordinary, formal, acceptable, not tense, normal, etc.). However, they also indicated that the prevailing characteristic of these relationships at the time of the study was calm and stability, reflecting the state of forced and necessary coexistence with the authorities to preserve the remaining civic space in the context of the conflict.

On the other hand, the multiplicity of conflict parties and the intensity of repressive practices hindered networking efforts among civil society organizations at the national level. Networking sometimes took on a narrower scope, aligning with the political control boundaries of the conflict parties' areas. In some cases, networking did not extend beyond a single governorate or even a district (a smaller local unit than a governorate). In this context, most civil society institutions in the sample (74.3%) reported that they had networked with other institutions. Among these organizations, 44% stated that networking was effective or somewhat effective, while 30% mentioned that networking was ineffective. The effectiveness of networking was associated with specific fields for varying reasons. For example, networking in the cultural and artistic field appeared to be extremely weak and ineffective due to the scarcity of counterpart organizations. In terms of implementing partnerships between civil society organizations (implementing joint projects), there was a near absence of networking efforts due to non-disclosure policies followed by some large local organizations. Networking between local humanitarian and relief organizations took on a technical and superficial character, focusing on coordinating interventions and avoiding duplication of targeted areas. However, it was observed that a larger number of recently established local organizations mentioned that networking had been beneficial for them. They benefited from the experiences of older organizations, accessing limited funding from supporting international organizations and entities, or receiving grants from local non-governmental organizations that focused on capacity building and short-term training initiatives.

Strengths of Civil Society and Opportunities to Mitigate the Impact of Repression on its Space

Leaders of civil society organizations included in the study expressed their confidence in the existence of multiple strengths that civil society still possesses despite the daily repression it faces in the context of the armed conflict. Keeping into consideration the varying assessments of the nature of these strengths from stakeholders' perspectives, they generally revolve around a set of resources and assets—moral, ethical, professional, legal, and social—that empower civil society to navigate and withstand repression, helping it to preserve its presence and continuity.

The will to survive within local civil society organizations, coupled with their continuous work in the broader society to fulfill compensatory roles and fill the void left by official entities withdrawing from community service, is seen as the most prominent strength of civil society by the majority of respondents (28.6%). The continuity associated with ongoing efforts provides civil society with diverse and rich work experiences, offering real opportunities for learning and enhancing self-confidence in exceptional working conditions. Additionally, working with diverse segments of victims, displaced persons, and affected civilians enhances civil society's understanding of community needs and priorities, increasing its chances of gaining the trust of the wider society. Furthermore, according to several local organizations, Yemen's civil society still has young and well-educated leaders who are able to deal with various challenges consciously and professionally, and are capable of generating young and vibrant civil cadres and leaders, especially among active women, in exceptional working environments.

Other strengths include civil society's possession of online media and communication capabilities (18.6% of respondents), which provides it with a refuge for conducting civil activities that are difficult to carry out in the physical realm. It offers an effective tool for countering or weakening the impact of repressive measures, such as using the Internet and social media to dilute smear campaigns and reputation defamation directed against civil society organizations from time to time. Additionally, international partnership relations (8.6% of respondents) have gained importance during the conflict. Local civil society has become a vital link in Yemen's humanitarian aid and life-saving international assistance supply chain. It also serves as the "world's eye" on human rights conditions, as international organizations concerned with human rights struggle to closely monitor the human rights situation due to high security risks.

Several local organizations highlighted additional sources of strength within civil society,

such as hidden collective solidarity capacities (7.1% of respondents) and the legal and ethical strength of civil work (7.1% of respondents). The theoretical and symbolic presence of the law provides civil society with moral legitimacy in its struggle against organized repression. Moreover, civil society's existence as a "rightful witness" to the severe human rights violations committed by conflicting parties enhances its ethical strength. Additionally, civil society's activities for peace and civic mobilization against war (5.7% of respondents) contribute to its strength.

However, 24.3% of respondents in the sample considered that civil society in Yemen lacks genuine sources of strength to confront the prevailing repression. They attributed this to the fact that the active conflict parties impose arbitrary restrictions, obstacles, and repressive measures on civil society, committing violations and attacks beyond the law. Civil society is unable to stop them due to the deep imbalance in social and political power dynamics.

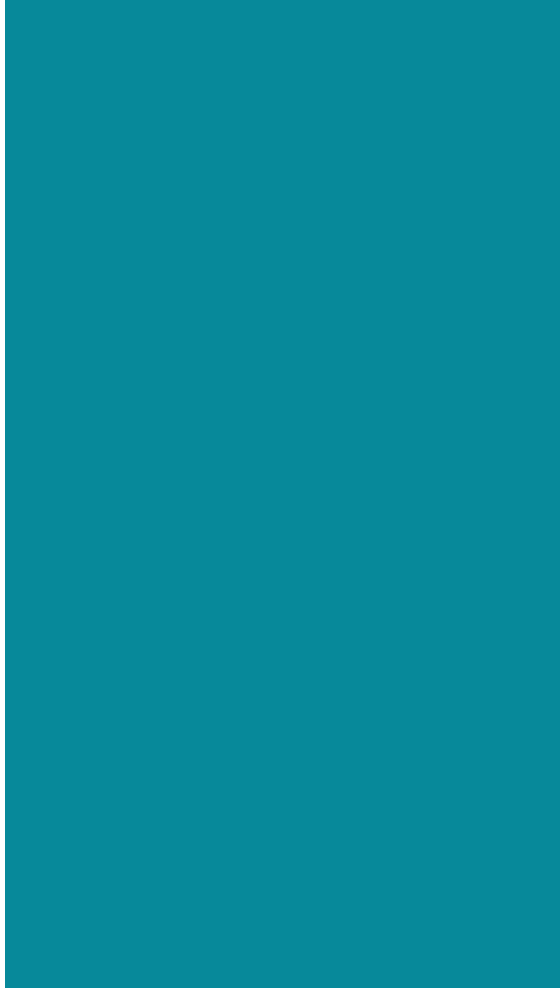
Although civil society leaders believe that their strengths enable them to maintain their presence and continue their activities in a complex and hazardous environment in the foreseeable future, it is evident that their chances of restraining the restrictive measures and repressive actions, as well as containing their medium- to long-term effects, are weak and limited. In some aspects, the perceptions of civil society tend to exaggerate the strengths, making it difficult to acknowledge them without discussion or building upon them. For example, the relative improvement in the image of civil society among local communities is likely due to temporary conditions in which the role of state institutions receded or completely diminished due to the conflict. Therefore, it remains uncertain whether civil society has established a reliable foundation of sympathy and popular support to enhance its ability to confront repression and its severe consequences.

The study revealed that civil society has neglected to harness the power of local public opinion, which has rarely been sought or utilized in its long-standing battle against repression. Furthermore, civil society tends to operate within the available margins without striving to expand them. Many of the strengths of civil society appear theoretical, latent, limited, and possibly unresponsive and unsuitable for positive deployment in countering organized repression, which inflicts deep distortions upon it and subjects it to near-extirpative violence that could pave the way for the creation of an alternative civil society.

Civil society is divided and constantly vulnerable to politicization, while individualistic tendencies hinder its potential for developing and innovating collective forms of organized civil resistance against restrictions and repressive measures directed at it. It tends to operate within the available margins without vigorous efforts to expand them. The study

demonstrated that independent local organizations possessing access capabilities and channels of dialogue with authorities in conflict areas often utilized these capacities to solve their own problems with the authorities rather than employing them to influence the policies of conflict parties towards civil society as a whole or to advocate for improving the working environment of civil society.

In addition, civil society organizations face deep-rooted administrative and organizational problems, lack transparency and governance, overly rely on external donor communities, and experience fluctuations and insufficient solidity in their international partnerships.



Introduction

During the more than two decades leading up to the outbreak of the armed conflict in late 2014, Yemen experienced a period of relative stability with a modern and largely stable constitutional system. Despite some fragility and occasional setbacks along the way, Yemenis lived with great aspirations and hope as they embarked on a promising path toward democratic transition.

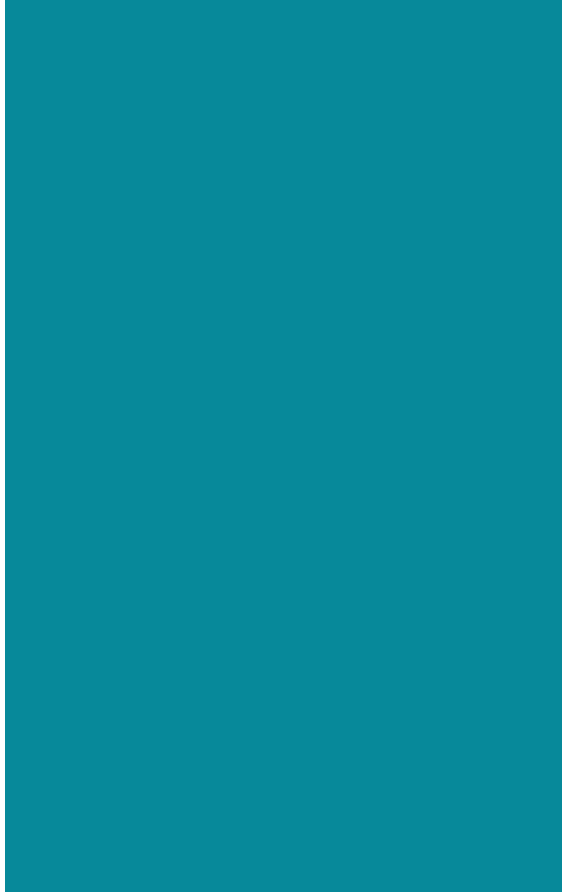
Over time, the political process based on democratic constitutional rules yielded numerous gains, particularly in terms of advancing fundamental freedoms and societal rights. As a result, a partially independent civic space took shape in Yemen, separate from the authorities. Within this civic space, there was a notable freedom of action and space for open discussions, accompanied by a degree of influence on government policies, public life, and even the democratic process itself. Furthermore, the civic space garnered acceptance and support due to its inherent strengths, just causes, and its unwavering commitment to civil values and fundamental human rights.

The Yemeni Constitution, which came into force in 1991, and its amendments guarantee all citizens the right to organize themselves politically, professionally, and through trade unions, as well as the right to form scientific, cultural, and social organizations and national unions that serve the objectives of the Constitution. Despite the shortcomings of Law No. 1 of 2001 on civil associations and organizations, the law provides all citizens, without discrimination, the right to form civil associations and organizations, provided that their objectives do not contradict the Constitution and the laws and regulations in effect. Additionally, it ensures that civil organizations have the right to file complaints with the competent courts against any illegal measures taken by the Ministry or any government body. The law allows civil society organizations to receive support, including in-kind aid and external funding, to carry out lawful activities as requested by international agencies. Furthermore, it safeguards them from dissolution unless a final judgment is issued by a competent court. Moreover, the law grants civil society associations, organizations, and similar entities (collectively referred to as “civil society organizations”) the benefits of tax exemption and obligates the government to provide financial and in-kind support to all civil society organizations registered under the law.

The armed conflict has raised doubts about the validity of these legal advancements and has, in fact, undermined many of them. The conflicting parties, through their excessive power and violence, often driven by arbitrary interpretations of the law and distorted bureaucratic traditions, have sought to exploit civic space, restrict its activities, and diminish its already limited scope. Their objective has been to treat civil society in an unfair and disproportionate

manner, despite their failed attempts to completely crush and undermine it when the conflict initially erupted.

As the parties to the conflict reluctantly recognize, albeit as a temporary measure, the existence of a restricted space for civil society characterized by its intricate structure, wide geographical reach, diverse roles and functions, and even some degree of cohesive transnational partnerships, they seem to resort to administrative restrictions, arbitrary measures, and blatant violations of civil society's autonomy as their primary strategy to assert dominance and control over the remaining limited civic space. By encircling and besieging civil society, impeding its self-development, and absorbing it into self-defence mechanisms, they aim to increase the costs of civic activities and amplify the consequences of engaging in such activities on the ground.



Problem Statement

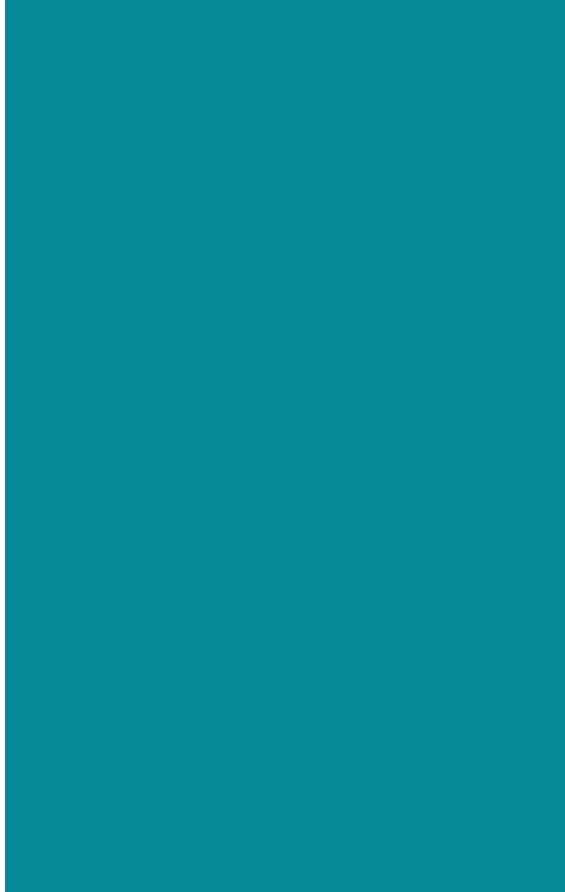
It is challenging to view the repressive measures and violations committed by the conflicting parties against civil society organizations solely as a by-product of the armed conflict that has persisted since 2014. Analyzing these measures merely as situational and random actions driven by security concerns and exceptional circumstances is also difficult. The repression targeting civil society space in Yemen throughout the conflict appears to be a coordinated and comprehensive strategy aimed at controlling, subduing, and managing civil society according to the interests of the involved parties. These measures likely serve the purpose of shaping future political and societal influences over the long term. Therefore, it is crucial to examine the dynamics of repression affecting civil society within this broad framework in order to arrive at accurate and comprehensive assessments.

Based on the aforementioned, the focus of this study can be summarized by the following set of interconnected questions:

How do the mechanisms of daily repression operate within the civil society space?

What are the short-term and long-term impacts resulting from these mechanisms?

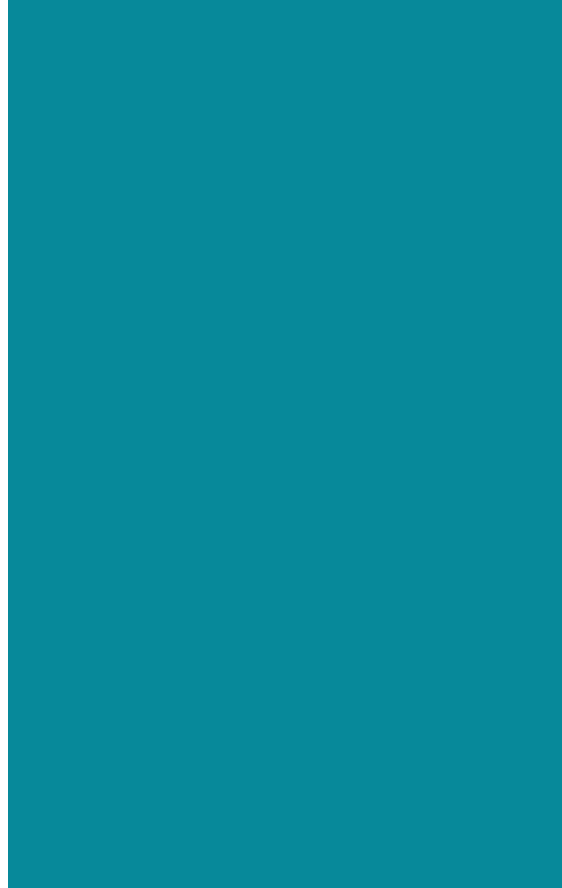
What are the responses and opportunities of civil society to address and mitigate the impacts of repression and violations?



Objectives

The study aims to provide an accurate depiction of the civil society space in Yemen amidst the ongoing armed conflict. It seeks to outline the legal, administrative, and political aspects that surround this space, and to analyze the range of illegal restrictions, repressive measures, and violations carried out by the conflicting parties against the various civil society organizations, activities, and activists.

In pursuit of this overarching objective, the study delves into the examination of the protective mechanisms accessible to civil society, while also exploring the various responses and strategies employed by civil society to counteract repressive practices and measures, irrespective of their nature or novelty. The primary aim is to safeguard the existence, continuity, and preservation of the remaining civil society space. Additionally, the study addresses the roles, challenges, and contributions of the donor community within the context of the ongoing conflict. Furthermore, it explores the internal dynamics of civil society in Yemen, highlighting the challenges and self-imposed barriers it faces, as well as the interdependence, solidarity, and evolving roles and activities within the sector. The study further endeavors to track the multifaceted effects of systematic repression targeting the civil society space and assesses the strengths and opportunities available to civil society in confronting repression and mitigating its impact on its civic space.



Methodology

The study employed a sample survey approach as an appropriate analytical method to provide an accurate depiction of the phenomenon under study. By collecting initial data and information from the field, the study effectively reflects the experiences, expertise, and diverse perspectives of civil society practitioners.

This approach allowed for targeted data collection using an appropriate set of tools, including in-depth interviews, focus group discussions, and desk-based review of relevant research and literature. The data collection process focused on elements and variables pertaining to the specific and broader characteristics of the phenomenon being studied, namely the civil society space in Yemen amidst the conflict. Subsequently, the data was organized and categorized into multi-topic groups that align with different aspects of the phenomenon, drawing inspiration from its various dimensions. To enhance the study's interpretive capacity, both qualitative and quantitative methods were employed to analyze the data, facilitating the identification of specific patterns and connections within the dataset.

The study was designed with a focus on achieving diversity in the sources of information and tools used. This approach was adopted to bolster confidence in the collected data, enable data comparison, and lend the necessary credibility to the study's results.

The information presented in this study was derived from in-depth interviews and focus group discussions conducted with a diverse range of stakeholders. These stakeholders include local civil society organizations, activists, journalists, donors, international partners, officials from local authorities, government and non-government bodies involved in monitoring civil society, local civil society experts (academics and practitioners), and citizens who possess knowledge of civil society.

The research process encompassed the following steps:

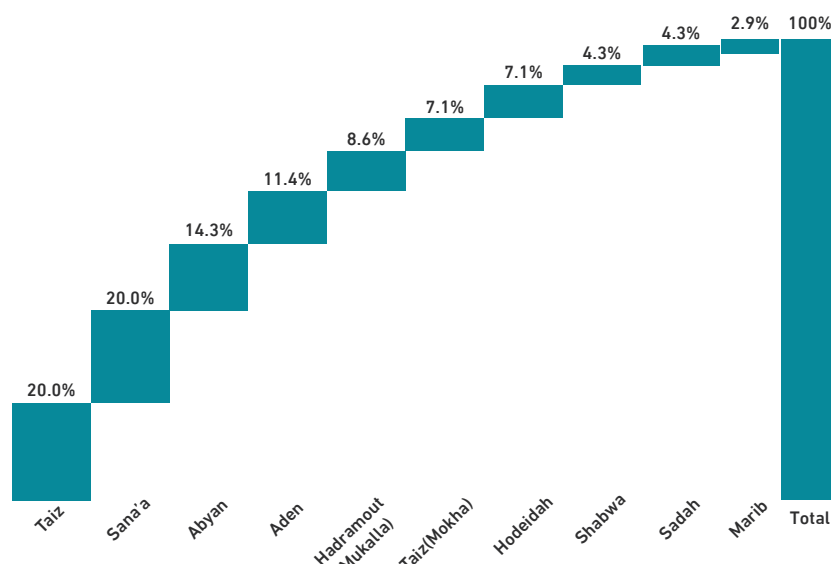
First: Desk Review of the Literature

A comprehensive review of existing literature on civil society in Yemen was conducted, along with a theoretical examination of the concept of civic space. This step aimed to uncover the various dimensions of civil society and examine its relevance to the study.

Second: Study Sample

The study sample comprised 70 carefully selected local civil society organizations from nine Yemeni governorates, namely Sana'a, Aden, Taiz, Hodeidah, Hadramawt, Marib, Shabwa, Abyan, and Sa'ada (see Figure 1).

Figure (1) Sample by Governorates



The sampling process adhered to the following criteria:

Representation of areas under the control of the major warring parties, including the internationally recognized Government of Yemen, the Ansar Allah (Houthi) armed group, the Southern Transitional Council, and the Joint Forces (Table 1).

Table (1) Samples by the Areas under the Control of the Parties to the Conflict

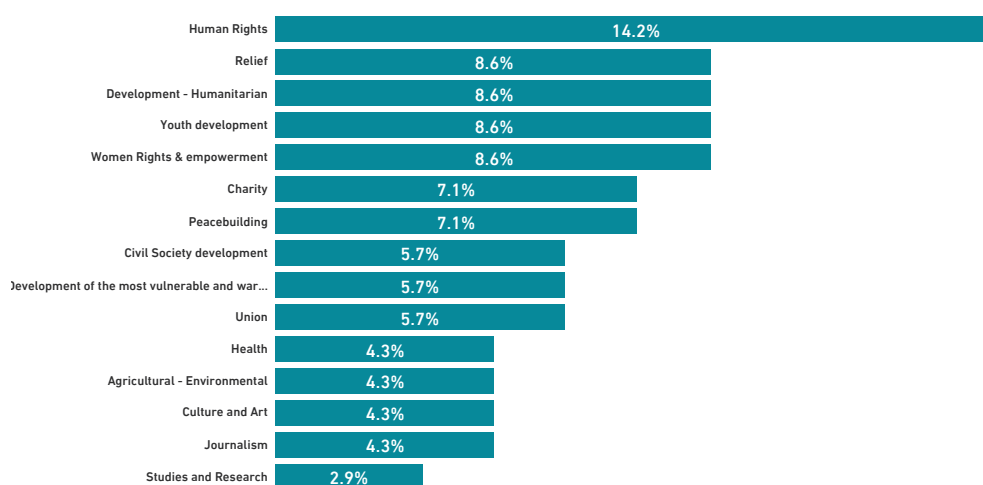
Areas	Total
Areas controlled by the Government (IRG)	38.6%
Areas controlled by Ansar Allah (Houthi) armed group	30.0%
Areas controlled by Southern Transitional Council	24.3%
Areas controlled by the Joint Forces	7.1%
	100.0%

Inclusion of diverse types of civil society organizations, such as non-governmental organizations, associations, unions, federations, study centers and initiatives. The sample also aimed to encompass various fields of civil activities, including human rights, humanitarian

efforts, and relief work. The sample across different sectors of civil work is depicted in Figure 2.

Classifying and placing civil society organizations into appropriate fields of activity encountered some procedural challenges due to the overlap of activities and adjustments made by certain organizations during the conflict. As an initial classification attempt, the study adopted the criterion of "Dominant Activity"¹ to determine the most logical and realistic classification of organizations.

Figure (2) The Sample of Civil Society Organizations by Areas of Civil work



Criterion concerning the actual existence and activity of the organization: A key consideration from the outset was to ensure that the study focused on genuine civil society in Yemen while avoiding the inclusion of fictitious or unknown organizations. Given the proliferation of fictitious civil components in Yemen, exacerbated by the conflict, it was crucial to survey organizations that physically existed on the ground and actively engaged in concrete activities within the targeted areas of operation.

A pre-field verification mechanism was employed to verify the real presence of these civil society organizations, generating reliable data for subsequent interviews. This verification process involved confirming the organization's name, scope of work, actual field of activity, the organizational capacity of the interviewee (if representing a selected organization), and accessibility (see survey form below).

¹ This criterion was mentioned in: Amani Qandil (ed.), The Arabic Encyclopedia of Civil Society, Family Library, Social Sciences Series (Cairo: The Egyptian General Book Organization, 2008), p. 68.

No	Name of Civil Entity	Area of Engagement	Governorate	District	Estimated State Date	Operation Area	Accessibility	Interviewee Job Title	Gender	Remarks
1		Advocacy	Amant Al-Asimah	Ma'een	1990	has branches in some governorates	Yes	Secretary General	Male	Example
2		Women's	Amant Al-Asimah	Al-Tahrir	1960	Most governorates	Yes	Executive Director	Female	
3		Human Rights - Prisoners Care	Amant Al-Asimah	Al-Wahda	2013	Most governorates	Yes	Management	Male	
4		Development - Youth	Amant Al-Asimah	Al-Sabeen	2010	Most governorates	Yes	Executive Director	Female	
5		Development - Youth	Amant Al-Asimah	Al-Wahda	1998	Most governorates	Yes	Executive Director	Female	
6		Development-Human Rights	Amant Al-Asimah	Ma'een	2012	Most governorates	Yes	Chairperson	Female	Suspended activities
7		Human Rights- Peacebuilding	Amant Al-Asimah	Al-Wahda	2013	Most governorates	Yes	Chairperson	Male	Suspended activities
8		Development-Relief	Amant Al-Asimah	Al-Wahda	2010	Most governorates	Yes	Management	Male	
9		Handicaps Care	Amant Al-Asimah	Al-Thawrah	2009	All Governorates	Yes	Executive Director	Female	
10		Arts and Culture	Amant Al-Asimah	Al-Sabeen	2015	All Governorates	Yes	Executive Director	Female	
11		Civil Society Organizations Capacity Building	Amant Al-Asimah	Al-Tahrir	2012	Sana'a	Yes	Management	Male	
12		Arts and Culture	Amant Al-Asimah	Al-Wahda	2009	Sana'a	Yes	Chairperson	Female	
13		Youth Coalition	Amant Al-Asimah	Al-Wahda	2020	All Governorates	Yes	Chairperson	Female	It is a youth bloc formed under the auspices of the United Nations to empower youth
14		Training and Rehabilitation for Disabled	Amant Al-Asimah	Al-Wahda	2018	All Governorates	Yes	Chairperson	Female	
15		Orphans Care	Amant Al-Asimah	Al-Sabeen	2001	Ibb	Yes	Chairperson	Female	
16		Orphans Care	Amant Al-Asimah	Shoob	2019	Sana'a	Yes	Chairperson	Male	
17		Orphans Care	Amant Al-Asimah	Ma'een	2020	Sana'a	Yes	Technical Manager	Male	
18		Orphans Care, Child disabilities, and communication aids	Amant Al-Asimah	Al-Sabeen	2019	Sana'a	Yes	Chairperson	Female	
19		orphans Care	Amant Al-Asimah		2015	Sana'a	Yes	Chairperson	Female	
20		orphans Care	Amant Al-Asimah	Shoob	2018	Sana'a	Yes	Chairperson	Female	
21		children with autism spectrum disorder	Amant Al-Asimah	Ma'een	2016	Sana'a	Yes	Technical Manager	Female	
22		Orphans Care	Amant Al-Asimah	Al-Makhader	2001	Sana'a	Yes	Chairperson	Female	
23		Women's	Amant Al-Asimah	Al-Sabeen	2014	Sana'a	Yes	Chairperson	Female	
24		Development - Relief	Amant Al-Asimah	Ma'een	2016	Sana'a	Yes	Chairperson	Male	
25		Medical care association	Amant Al-Asimah	Ma'een	2016	Sana'a	Yes	Chairperson	Male	
26		development	Amant Al-Asimah	Al-Wahda	2006	Most governorates	Yes	Media Officer	Male	Also focus on Agriculture
27		supportive environment for entrepreneurship	Amant Al-Asimah	Al-Sabeen	2013	Sana'a	Yes	Management		
28		developmental-youth	Amant Al-Asimah	Al-Wahda	2012	Sana'a	Yes	Executive Director	Male	
29		Human Rights	Amant Al-Asimah	Al-Sabeen	2004	Most governorates	Yes	Executive Director	Male	
30		Lawyers' rights	Amant Al-Asimah	Al-Wahda	1990	Most governorates	Yes	Head of the union	Male	
31		Health and Women	Amant Al-Asimah	Ma'een	2009	Some Governorates	Yes	Management	Female	
32		Development - Human Rights	Amant Al-Asimah		2017	Sana'a	May be	Management	Female	

No	Name of Civil Entity	Area of Engagement	Governorate	District	Estimated State Date	Operation Area	Accessibility	Interviewee Job Title	Gender	Remarks
33		Human Rights	Amant Al-Asimah	—	2008	All Governorates	No	—	—	We contact the organization and they informed us that they have suspended their activities in Sana'a. They also apologized from fill out the questionnaire
34		Health Development	Amant Al-Asimah	Al-Sabeen	2015	Sana'a	May be	Executive Director	Female	
35		Rights-Freedoms	Amant Al-Asimah	Ma'een	2016	All Governorates			Female	
36		Education - economic empowerment - humanitarian response	Amant Al-Asimah	Ma'een	2003	Sana'a	Yes	Management	Female	
37		Promote durable solutions for conflict-affected populations	Amant Al-Asimah	Al-Sabeen	1976	All Governorates	May be	Management	Male	
38		development and humanitarian	Amant Al-Asimah	Shoob	2018	All Governorates	May be	Management	Female	
39		Consolidation of democracy and advocacy of civil behavior	Amant Al-Asimah	Al-Tahrir	2002	Most governorates	May be	Management	Male	
40		Development	Amant Al-Asimah	Ma'een	2012	Sana'a	Yes	Executive Director	Male	Suspended activities
41		Rights - freedoms and professional advancement	Amant Al-Asimah	Al-Sabeen	2012	Sana'a	Yes	Management	Male	
42		Development-relief-women and children	Amant Al-Asimah	Al-Sabeen	2011	Sana'a	Yes	Management	Female	
43		Promotion of culture and media	Amant Al-Asimah	Al-Sabeen	2011	Sana'a	Yes	Chairperson	Female	
44		Volunteering-Learning-Accountability	Amant Al-Asimah	Al-Sabeen	2012	Most governorates	May be	Management	Male	
45		Providing sustainable development services	Amant Al-Asimah	Al-Wahda	2015	Most governorates	May be	Management	Male	
46		Monitoring and documenting the Yemeni song	Amant Al-Asimah	Al-Wahda	2007	Most governorates	Yes	Chairperson	Male	
47		Providing humanitarian services	Amant Al-Asimah	Ma'een	-	Most governorates	May be	Management	Female	
48		Development	Amant Al-Asimah	Ma'een	2017	Most governorates	Yes	Executive Director	Male	
49		Advocacy	Amant Al-Asimah	Al-Sabeen	1990	Most governorates	Yes	Management	Male	
50		Reducing the suffering of communities affected by disasters	Amant Al-Asimah	Al-Sabeen	-	Most governorates	May be	Management	Male	
51		Youth participation in bringing about change	Amant Al-Asimah	Al-Sabeen	2011	Most governorates	Yes	Management	Male	
52		Improving professional performance	Amant Al-Asimah	Al-Wahda	1990	Most governorates	May be	Management	Male	
53		Humanitarian voluntary relief of an international character	Amant Al-Asimah	Al-Tahrir		Most governorates	May be	Management	Male	
54		Addressing social issues	Amant Al-Asimah	Al-Sabeen	2007	Most governorates	Yes	Management	Male	
55		Youth volunteer	Amant Al-Asimah	Al-Wahda	2011	Sana'a-Taiz	Yes	Chairperson	Male	
56		Relief-development	Amant Al-Asimah			Sana'a-Taiz	May be	Management	Male	
57		To achieve the global Millennium Development Goals	Amant Al-Asimah	Al-Sabeen		Most governorates	May be	Management	Male	
58		Supporting press freedoms	Amant Al-Asimah	Al-Sabeen	2001	All Governorates	Yes	Chairperson	Male	The center is almost inactive due to the harrassment of de facto authorities
59		Sports media	Amant Al-Asimah		2021	All Governorates	Yes	Chairperson	Male	
60		Supporting creative youth	Amant Al-Asimah	Al-Sabeen		Most governorates	Yes	Chairperson	Male	
61		environment						Chairperson	Male	
62		Peacebuilding organization								

Although it is challenging to assert with absolute certainty that the survey mechanism employed for this study was comprehensive, there is a possibility that accidental errors or miscalculations led to the inclusion of fictitious organizations in the survey list. Nonetheless, working within this mechanism was crucial to ensure the study's accuracy and reliability.

Autonomy criterion: Throughout the study, a key emphasis was placed on including neutral organizations that were not affiliated with any of the conflict parties. This criterion aligned with the study's conceptualization of civil society as an independent space separate from political power structures in all their forms. Based on careful screening, three organizations that were found to receive regular funding from one of the conflict parties were excluded from the sample. However, during the advanced stages of the study, it was discovered that some organizations included in the sample had questionable independence and may have developed hidden political loyalties, despite their establishment prior to the outbreak of the conflict. While the number of such organizations was minimal, their presence indicated the challenges in uncovering concealed loyalties within civil society during a phase of conflict characterized by complexity and intense political polarization stemming from opposing agendas.

Criterion regarding the functional representation of the organization: The interviews were conducted exclusively with leaders of local organizations, including Chairpersons, CEOs, or individuals at their level, rather than ordinary employees. These leaders, regardless of gender, were authorized to speak on behalf of their organizations and possessed comprehensive information about their organizations' status. Hence, the information obtained within the scope of this study reflects the opinions, experiences, and expertise of "civil society leaders in Yemen during the conflict."

While the study aimed to represent the views of civil society actors on various issues related to the reality of civic space in the context of the conflict, it must be emphasized that the study did not adopt a definitive stance as expected in a study of this nature. Whenever the information or opinions expressed by the respondents appeared to be exaggerated, impressionistic, highly biased, contradictory to established facts, or driven by political motivations, the study engaged in a thorough discussion and careful commentary of this. Such instances were noted and general observations were recorded as part of a conscientious and interactive analysis of the information and opinions received. This approach respected the right of the respondents to express their views and presented the information provided without any alteration.

Third: Interview Guidelines

The study employed a standardized individual interview tool that utilized a combination of open-ended and closed-ended questions to collect data. This tool was chosen to be used within the sample and other diverse categories, including human rights defenders (both male and female activists), heads of offices and governmental and non-governmental agencies involved in civil society affairs, experts and specialists in civil society affairs, as well as ordinary citizens. Consequently, a sample interview guide was developed, along with additional guides tailored to the specific characteristics of each target group.

The process of collecting field information through interviews took place over a period of two months, from mid-June to mid-August 2022. Data collectors conducted face-to-face interviews with respondents and other target groups. Only one interview was conducted via Zoom with a representative of an organization, as he was abroad.

Fourth: Consultative Workshop

On June 11, 2022, a qualitative consultative workshop was held at the headquarters of Mwatana for Human Rights. Representatives from local civil society organizations, experts, and reputable academics participated in this workshop to exchange ideas regarding the subject of the study. During the workshop, participants were presented with the study's plan, objectives, preparation stages, proposed methodology, selected sample, and all interview materials prepared by the consultant. The participants actively engaged in discussions and provided valuable feedback.

Fifth: Training Workshop

The field team responsible for collecting information consisted of [14] members, all of whom were human rights activists affiliated with the same community in the targeted governorates. From June 20 to 21, 2022, a three-day training workshop was held at Mwatana for Human Rights. During this workshop, the team was familiarized with the study's subject, objectives, themes, characteristics of the study sample and other target groups, and the required field information. The trainees received comprehensive practical training on utilizing the individual interview tool effectively. They were equipped with clear guidelines and instructions regarding obtaining informed consent, safeguarding respondent privacy, and protecting sensitive information. They were also assured of the importance of adhering to professional and ethical standards in conducting fieldwork, as well as complying with the rules outlined in Mwatana's code of conduct.

Sixth: Focus Group Discussion

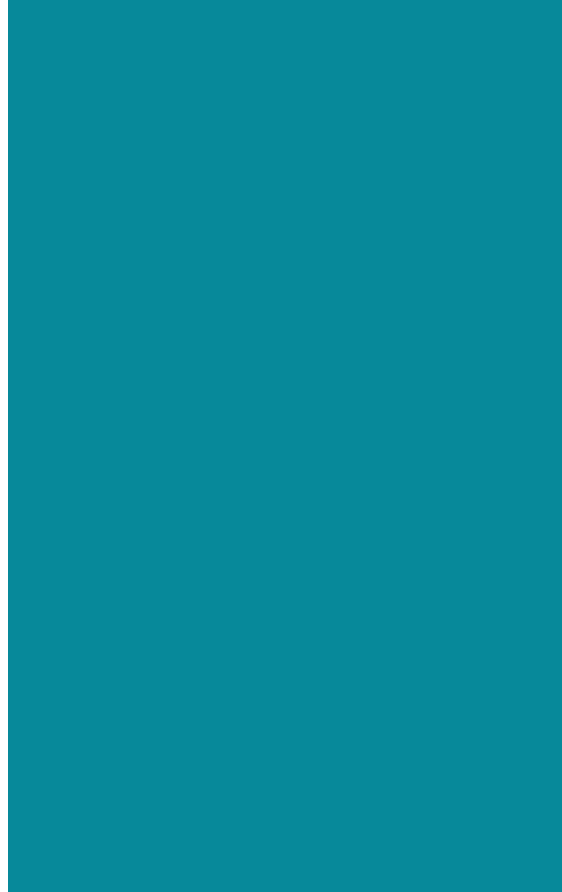
The process of collecting field information through interviews took two months, from mid-June to mid-August 2022. Data collectors conducted face-to-face interviews with respondents and other target groups. Only one interview was conducted via Zoom with a representative of an organization, as he was abroad.

On August 10, 2022, Mwatana organized a virtual focus group discussion with representatives of donors and international partners. The aim of the discussion was to delve into the challenges and obstacles experienced by international organizations and assess the state of their partnerships with local civil society in Yemen during the conflict.



Study Findings and Key Themes

- Theme 1:** Analysis of the Patterns of Overall Repression of Civil Society Space in Yemen during the Conflict.
- Theme 2:** Root Causes of Repression Against Civil Society Space.
- Theme 3:** Patterns of Restrictions and Violations Against Civil Society Space.
- Theme 4:** Protection Mechanisms and Civil Society Responses to Repression Against Civic Space.
- Theme 5:** Impacts of Repressive Measures on Civil Society Space.
- Theme 6:** Strengths and Opportunities of Civil Society in Mitigating Negative Effects on Its Space.



Theoretical Framework

Civil Society and Authoritarian Retaliation: Expanding the Boundaries of Civic Space

The concept of “Civil Society” refers to a distinct social space separate from the government and family spheres. It is inhabited by self-organized groups engaged in activities for common and non-profit purposes, characterized by a necessary degree of solidarity and a commitment to uphold the general civic virtues of the broader society.²

Despite varying perspectives on the defining characteristics of organizations that form the core of modern civil society and the debate on whether the concept encompasses all intermediary groups based on voluntarism or is limited to specific types,³ there exists a broad and well-established theoretical consensus that civic space should be legally safeguarded against interferences that restrict its autonomy and liberty. Such interferences hinder the functioning of the components of civic space and weaken their natural free growth opportunities. Government interference stands out as being the most significant of these interferences.

Essentially, civil society is portrayed by many classical theorists, such as Locke, Montesquieu, and Tocqueville, as a social force that acts as a counterbalance to governmental power.⁴ Its primary purpose is to restrain the inherent tendencies of governments to encroach upon the rights of individuals and society in the name of public interest and the maintenance of “public order.” Given that the notion of public order and the claim of representing it are deeply ingrained in every political authority, including democratic authorities in liberal countries where the concept of civil society originated, there is an inherent inclination for authorities to interfere in the civil sphere under the guise of regulation, control, framing, or codification. Such tendencies only seek sufficient justifications to manifest themselves.

Civil society holds moral perceptions and ethical standards regarding individual rights that may not align with those of the governing authority. Irrespective of the level of political openness, the authority cannot consistently adhere to civil society's perceptions and ethical standards in practice. As a result, there is an inherent theoretical tension in the relationship between the authority and civil society, which can escalate over time. “The stronger the

2 Stephen Delou and Timothy Dale, *Political Thinking, Political Theory and Civil Society*, translated by Rabie Wahba (Beirut: Renaissance Center for Studies and Publishing, 2020), p. 58.

3 Michael Edwards, *Civil Society: Theory and Practice*, translated by Abdulrahman Abdul Qadir Shaheen (Doha: Arab Center for Research and Policy Studies, 2015), pp. 55-56.

4 John Ehrenberg, *Civil Society: The Critical History of an Idea*, translated by Ali Hakim Saleh and Hassan Nazim (Beirut: Arab Organization for Translation, 2008), p. 443.

government becomes and the more diverse and widespread civil organizations become, the more the relationship between government and civil society remains subject to negotiation.”⁵ However, in stable Western democracies, the shared liberal foundations between government and civil society help mitigate this theoretical tension. Effective negotiation mechanisms and long-standing traditions of political and civil life prevent the agitation of this tension.

As the idea of modern civil society has expanded to countries outside the traditions of liberal democracy, the tension between governments and emerging civil societies soon manifested itself in a clash. Authoritarian regimes in developing countries are fundamentally resistant to accepting a globalized and autonomous civic space. Even when compelled to acknowledge it under certain circumstances, these governments maintain a persistent desire to regain what they perceive as forcibly taken from them and to diminish the autonomy of civil society. This inclination often manifests in aggressive and brutal forms of interference and unveiled repression.

Conversely, in illiberal contexts, civil society perceives one of its key roles, if not the most important and contemporary one, as working towards the partial or complete change of these authoritarian regimes. This goes beyond defending its independent civic existence or pressuring governments to improve and develop their political agendas. By the late 1980s, both governments and modern civil society in illiberal contexts appeared to be positioned on opposite sides of the spectrum.

The emerging civil society in Central and Eastern Europe took on the crucial task of facilitating a successful transition to democracy and establishing liberal regimes in the aftermath of the collapse of communist regimes. It accomplished this by forming alliances with various opposition political parties and forces, while benefiting from generous funding and aid from Western sources. Thus, “[Civil Society] became the main term for anti-dictatorial endeavors.”⁶ As for developing countries, where many regimes were quick to adapt to the new dynamics of the international order following the Soviet Union's dissolution and mostly offered cosmetic responses to the rising surge of democracy, civil society had to engage in civic mobilization against the policies of authoritarian and repressive regimes, in accordance with the liberal democracy agenda.

5 Delou and Dale, p. 732.

6 Adrian Reinert, *Zivilgesellschaft und sozialer Probleme*, in: Thomas Meyer & Udo Vorholt (eds.), *Zivilgesellschaft und Gerechtigkeit*, collective translation (Cairo: National Center for Translation, 2010), p. 59.

The rise of civil society has become a central focus of the democracy promotion agenda, representing a gradual transformation and even destabilization of authoritarian regimes. Throughout the 1990s, international assistance programs for democracy, through domestic non-governmental organizations, thrived to the detriment of aid directed to governments in developing countries.

Carothers and Brechenmacher highlight the significant shift in Western grant and aid policies towards developing countries, along with some of its outcomes. They note that in the late 1980s, Western aid providers started challenging the long-standing “Implicit Deal” that had continued to frame their assistance to developing countries since the 1960s. According to them, developing countries required, to receive aid, “that aid be directed for socioeconomic progress rather than political change, and aid providers to channel their assistance through governments, not directly to citizens, ensuring governments to maintain control over aid activities within their territories.”⁷

Influenced by the powerful impact of liberal civil society theories, reinforced by an effective international system for democracy aid around the world, civil society has engaged in a series of political activities that have drawn the ire of authorities in semi-authoritarian regimes or what are commonly known as restricted or emerging democracies. These activities encompass mobilizing voters, training political activists and opposition parties, organizing protests, engaging in political advocacy, and monitoring elections, among other initiatives.

Despite the significant expansion of political activities by civil society aimed at supporting or monitoring democratic transitions, the achieved results in fostering genuine democratic transitions in Central and Eastern European countries and Third World nations have been underwhelming and disappointing. This has sparked a wide-ranging debate on the function and role of civil society within a political landscape characterized by conflict. Questions have arisen regarding the viability of engaging civil society as a prominent actor in an asymmetrical political battle to accomplish the objectives of liberal democracy. These questions encompass the impact on civic space, as well as the implications for the attainment of reasonable human rights and legal advancements made by certain societies in semi-authoritarian political contexts. Such achievements have been the result of arduous efforts and ongoing civil struggles across social, cultural, and human rights domains.

Dorota Pietrzyk-Reeves offers criticism towards the liberal approach that advocated

7 Thomas Carothers and Saskia Brechenmacher. *Closing Space: Democracy and Human Rights Support Under Fire* (Washington, Carnegie Endowment for International Peace, 2014), p. 22.

for civil society as an effective instrument for democratization in Central and Eastern European countries after the dissolution of the Soviet Union. This approach was founded on a normative assumption that, in practice, lacked substantiation. It posited that the consolidation of democracy in these nations would naturally occur through the presence of an institutionalized civil society safeguarded by constitutional regulations, ensuring its freedom of establishment, expression, and engagement, as well as granting it the authority to hold governments and political elites accountable.⁸

Instead of perceiving civil society as just one of the potential arenas to support democratic transitions in diverse contextual circumstances, as argued by Pietrzyk Reeves, proponents of the liberal approach have tended to overstate the significance of a robust civil society as an essential prerequisite for democratic transition. In doing so, they overlook the fundamental notion that civil society is an autonomous entity, existing as a dynamic and self-regulating sphere of social interaction. Civil society operates with diverse social and political objectives, fulfilling a societal role independent of the type of regime in place.⁹ Pietrzyk Reeves further emphasizes that “civil society is not solely a tool for consolidating democracy, nor is it its guardian. Rather, it is a realm of voluntary social engagement that cannot be confined to a singular framework or pursue objectives aligned with a specific ideology.”¹⁰

Certainly, contemporary civil society, inherently intertwined with democracy within its formative and historical framework, should not remain indifferent to the task of promoting democracy and fostering social transformation in developing countries. However, according to some perspectives, the issue lies in an excessive emphasis on the political role of civil society and an overestimation of its active involvement in shaping transformative democratic policies during the post-communist era. In reality, civil society often faces the challenge of establishing its autonomous existence within entrenched, deceptive, and repressive authoritarian or semi-authoritarian regimes, which creates the need to find solid ground for its operations.

8 Dorota Pietrzyk-Reeves, “Rethinking Theoretical Approaches to Civil Society in Central and Eastern Europe: Toward a Dynamic Approach,” *East European Politics & Societies*, Volume 36, Issue 4, November 2022, P 5.

9 Ibid, P. 2.

10 Ibid, P. 12.

The Closed Democratic Space for Civil Society

Amidst civil society's pursuit of democracy, both semi-authoritarian regimes and those that have undergone formal democratization in recent years have employed innovative strategies to constrict civil society and impose increasingly stringent limitations on its activities and entities. By the mid-2000s, governments began implementing measures of different degrees of severity to curtail or obstruct access to external funding for democracy assistance,¹¹ while simultaneously stigmatizing non-governmental organizations receiving such assistance as spies seeking to undermine their domestic legitimacy. Governments justified their restrictive approach and obstruction of civil society by invoking the preservation of national sovereignty and the protection of their countries' security against foreign interference. These justifications were used to impose various limitations on civil society, such as restrictions on freedom of association, expression, assembly, movement, and access to information. Additionally, smear campaigns and threats to personal safety were employed, creating an environment commonly referred to as a "closed democratic space for civil society."

Some view the government's orientations to restrict the democratic space for civil society as part of a larger struggle for social and political power. In this perspective, governments perceive civil society as a formidable opponent, strengthened by efficient civil mechanisms that have the capacity to influence the political process.¹² Consequently, governments seek to manage and sponsor these mechanisms within narrow and controlled boundaries.

Governments perceive civil society activities that contradict with their authoritarian interests, such as monitoring elections, mobilizing voters, and training political opponents, as being funded by foreign entities. They believe that severing the transnational ties of local NGOs with foreign entities will lead to a depletion of financial resources for these activities of concern. By doing so, governments aim to secure their grip on power while maintaining a controlled civic space and regulated external connections, thus safeguarding their international reputation.¹³

Hannah Smidt observed a correlation between overseas development assistance and government restrictions on foreign funding for civil society organizations in sub-Saharan

11 On these measures, see: Carothers and Brechenmacher, P. 9-10.

12 Naomi Hossain et al, What Does Closing Civic Space Mean for Development? A Literature Review and Proposed Conceptual Framework. Engagement Unit, Institute of Development Studies, July 2018, p 8: <https://www.ids.ac.uk/publications/what-does-closing-civic-space-mean-for-development-a-literature-review-and-proposed-conceptual-framework-2/>

13 Carothers and Saskia Brechenmacher, P. 23.

Africa. Ironically, countries that receive higher levels of development aid tend to impose stricter regulations on foreign funding for civil society organizations. This tendency can be seen as an implicit effort to exert control over donor funding.¹⁴

Thomas Carothers and Saskia Brechenmacher attribute the increasing hostility towards Western aid and democracy support programs, channeled through civil society organizations worldwide, to a shift in awareness among semi-authoritarian regimes regarding the potential repercussions of uncontrolled civic activism and its unforeseen impact on their political power. When the Cold War ended, the provision of democracy support assistance by the United States of America and European countries to non-governmental organizations did not initially trigger significant concern from these regimes, which had little regard for the power of civil society at the time. However, the pivotal role played by democratic civic actors, who received foreign aid, in the ousting of Serbian President Slobodan Milosevic in the late 1990s, as well as their subsequent involvement in organizing the color revolutions in Georgia, Ukraine, and Kyrgyzstan, drew the attention of semi-authoritarian regimes across different regions of the developing world to the potential consequences of allowing civil society to flourish outside of official control.¹⁵

Furthermore, the war on terror has significantly contributed to the escalation of governments' tendencies to impose funding restrictions on civil society organizations, with the active support and endorsement, this time, of Western aid providers. The United States of America, in particular, channels its assistance within the framework of counterterrorism efforts, utilizing a range of legislations, laws, and comprehensive procedures to compile blacklists of civil society organizations in certain countries, and to criminalize civil access to information about government policies in specific domains.¹⁶

While some perceive the current surge of restrictions as a prolonged authoritarian assault on democracy, aimed at curtailing its global influence during a period when democracy itself is experiencing a noticeable stagnation after an almost two-decade wave of prosperity,¹⁷ others argue that civil society is undergoing diverse transformations rather

14 Hannah Smidt, "Shrinking Civic Space in Africa: When Governments Crack Down on Civil Society", July 2018:

https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/13962/Wp515_Online.pdf?sequence=1&isAllowed=y

15 Carothers and Saskia Brechenmacher, P. 24.

16 David Sogge, Civic Space: Shrinking from the outside in? "CIVIL SOCIETY AND GLOBAL DEVELOPMENT AGENDA", Volm 9, January - June 2020, P. 81.

17 Carothers and Saskia Brechenmacher, P. 23.

than declining.¹⁸ According to them, this surge is no more than a change in the requirements of civic engagement within these countries.¹⁹ However, a third group believes that, contrary to common belief, civic space is witnessing an expansion in the domains of social activity and volunteer work for the benefit of non-professional civil organizations or individual actors beyond local non-governmental organizations. This expansion is driven by various agendas.²⁰

In any case, the wave of curtailing civic space was not limited to developing countries or Central and Eastern European countries alone. It also extended to European countries with well-established democratic regimes that are rich in civil society. Countries such as France and the United Kingdom, known for the strength, effectiveness, and independence of their civil society from government structures, were not exempt from this wave.

While the relative decline of civil society rights in European countries is attributed to governments that do not comply with the conditions necessary for creating an enabling environment for civil society, the growing engagement of far-right parties in the European political sphere, and the formation of right-wing governments in certain Western European countries, it is important to consider the European model from various perspectives and angles. This includes examining the reasons behind governments' imposition of increasing restrictions on civil society and understanding the limits of civil society's influence in the democratic political process, as well as the sustainability of that influence.

The Concept of Civic Space

The concept of civic space, with its later connotations, has emerged from the dialectical relationship between civil society and authoritarian and semi-democratic regimes in various regions of the world over the past three decades.

The process of developing the concept of civic space has taken on a systematic form in the actions of the Global Alliance for Citizen Participation (CIVICUS), a global alliance of civil society organisations and activists dedicated to strengthening citizen action and civil society throughout the world, particularly in regions facing challenges to participatory democracy and citizens' freedom of association.²¹

18 Edwards, p. 60.

19 Hossain et al, P. 8.

20 Sogge, P.77.

21 Amrita Daniere and Mime Douglass. *The Politics of Civic Space in Asia* (London and New York, Routledge, 2009), P. 8.

CIVICUS defines the civic space as “the political, legislative, social and economic environment which enables citizens to come together, share their interests and concerns, and act, individually and collectively, to influence and shape their societies, [as well as] pursuing multiple, and at times competing, points of view.” Therefore, the concept of civic space refers to the overall environment in which civil society operates. This environment includes all laws, regulations, and mechanisms that either allow civil society and its organizations to act freely or impose restrictions on them. The United Nations, in its Guidance Note on the Protection and Enhancement of Civic Space (September 2020), defines civic space as “the environment that enables people and groups to participate meaningfully in the political, economic, social and cultural life of their societies.”²²

CIVICUS adopts a global index of enabling environments that classifies civil society spaces into five types:²³ open, narrowed, obstructed, repressed, or closed. These classifications are based on criteria that assess the extent to which civic actors enjoy the right to association, freedom of peaceful assembly and expression, both in terms of legal provisions and actual practice. It also takes into account the level of protection provided by governments for these fundamental rights.

Although there is no universally accepted definition of the concept of civic space at the international level, it has quietly and seamlessly emerged alongside the concept of civil society. One can easily describe civic space as an extension of civil society itself, emphasizing the vital role of a “vibrant and autonomous civil society” in ensuring an open civic space. The close association between these two concepts has evolved through previous research efforts and practical considerations. One notable influence is the comprehensive definition of civil society developed by the Johns Hopkins Comparative Nonprofit Sector at Johns Hopkins University Center for Civil Society Studies, which has been widely adopted by international organizations focusing on civil society.²⁴ This definition has also been incorporated into global rankings and systems of national accounts for civil society organizations, further contributing to the natural alignment between civil society and civic space.

22 United Nations, Guidance Note on the Protection and Enhancement of Civic Space, Executive Brief, September 2020, available at:

https://www.ohchr.org/sites/default/files/Documents/Issues/CivicSpace/UN_Guidance_Note_Executive_Summary_AR.pdf

23 Official Website <https://monitor.civicus.org/Ratings>

24 Hopkins University defines civil society organizations as “any organization, whether formal or informal, that is separate from government, non-profit distributing, self-governing, and in which participation in voluntary.” See: USAID, 2013 Civil Society Organizations Sustainability Report for the Middle East and North Africa, at: <https://2012-2017.usaid.gov/node/189771>

However, despite the close association between the concepts of civic space and civil society, there are still discernible differences and nuances. The concept of civic space offers a more adaptable and dynamic framework for comprehending the evolving landscape of civil society in developing and illiberal countries. This framework takes into account the interplay between two opposing forces: the restrictive domestic authoritarian environments with their intricate restrictions, and the global trend towards bolstering democracy through informal foreign aid mechanisms. Civil society faces a wide range of challenges in diverse contexts, while the digital realm and cyberspaces have introduced new actors employing distinct civic tactics onto the stage of civil action. The digital space, however, presents hidden threats and methods of intimidation, as well as the dissemination of online hatred and violence.²⁵ It has also given rise to numerous forms of individual and collective civic activities that operate outside the established structures of civil society organizations.

Beyond the concept of civil society, the scope of actors within the civic space expands to encompass a wide range of participants. This includes community organizations, indigenous movements, women's organizations, youth groups, trade unions, independent media outlets, actors, NGOs, and online discussion groups.²⁶ The concept of civic space also encompasses individual human rights defenders, who may go beyond traditional NGOs and stereotypical civil society institutions, as well as online activists. Additionally, the civic space approach recognizes the inclusion of small, spontaneous groups engaged in short-term demands, as well as broader social movements, including mass struggle movements against tyranny.

Some argue that the concept of civic space, with its inclusive and broad nature, has emerged as a reaction to the "failure of formal civil society in adequately representing public concerns."²⁷ The Office of the United Nations High Commissioner for Human Rights has used the term "civil society actors" to describe the sheer number of groups actively engaged within this civic space.

The concept of civic space is based not only on the plurality and diversity of civic actors, but also on the element of active civic engagement. It provides a room for a wide range of activities undertaken by ordinary citizens beyond the realms of government, family, and the market, addressing the evolving needs of societies with their unique contexts and characteristics. Some define civic space as "the practical sphere that grants citizens and civil

25 Sogge, P.92.

26 Daniere and Douglass, P. 9.

27 Squeezing civic space: restrictions on civil society organizations and the linkages with human rights. P.4.

society organizations the freedom to act and maneuver.”²⁸

The significance of employing the concept of civic space instead of civil society lies in its adaptability to the evolving dynamics of civic reality in diverse contexts. It helps prevent the adherence to normative assumptions that may be associated with the concept of civil society when used in isolation. For instance, it avoids the assumption that civil society should conform to a specific institutional framework adhering to uniform liberal standards and traditions. Instead, it recognizes the varied nature of civil society and its ability to operate flexibly, undertaking a range of transformative roles that are specific to each non-democratic society.

These assumptions present challenges when attempting to explore civic spaces that have, in reality, become more inclusive and diverse, deviating from stereotypical and systematic frameworks. This necessitates a comprehensive analysis of the conditions, threats, restrictions, and opportunities that civic activism encounters, rather than solely focusing on studying specific features of civic structures and institutions.

28 <https://monitor.civicus.org/whatis-civicspace/>



Civil Society Space: International and Domestic Legal Framework

The concept of civic space embraces the evolving dynamics of civil society in various global contexts. It offers a comprehensive and adaptable framework for organizing effective global, regional, and national civic responses to the growing challenges posed by the increasing wave of government restrictions on civil society.

Therefore, from a legal perspective, two key aspects are emphasized to provide a clearer understanding of the boundaries of the state's relationship with civic space. Firstly, it is crucial to restate and reaffirm the fundamental rights of civil society, especially in a world where respect for these rights has significantly diminished. Secondly, it is important to remind states of their obligations to foster an environment that is conducive, safe, and enabling for civil society work. States must actively facilitate the exercise and protection of these rights, ensuring that the necessary conditions are in place to support the functioning of civil society.

First: Fundamental Rights of Civil Society

The concept of civic space places special emphasis on three fundamental rights of civil society:²⁹

1 Right of Association

The right of association involves the right to form associations without prior registration and without discrimination of any kind. These associations can encompass a wide range of entities, including “civil society organizations, clubs, cooperatives, non-governmental organizations, religious associations, political parties, trade unions, and online foundations and associations, as well as new less specific formations and groups such as social movements.” This right of association also includes the right to voluntary and free association within these formations, as well as the right for all associations to receive funding and resources.

2 Right to Freedom of Peaceful Assembly

The right to freedom of peaceful assembly, whether public or private, includes “the right to participate in peaceful assemblies, meetings, protests, strikes, sit-ins, demonstrations, and other temporary gatherings organized for specific purposes.”

29 <https://monitor.civicus.org/whatis-civicspace/>

3 Right to Freedom of Expression

The right to freedom of expression and access to information encompasses the ability to criticize government practices and actions without fear of reprisal, as well as criticizing investigation procedures and documenting their findings.

Although these three rights are inherent in various international instruments, including the Universal Declaration of Human Rights (Articles 19, 20, 21), the International Covenant on Civil and Political Rights (Articles 19, 21, 22, 25), the International Covenant on Economic, Social and Cultural Rights (Articles 8, 15), and other relevant instruments, the United Nations Human Rights Council, in October 2009, adopted Resolution 12/16 on freedom of opinion and expression, reaffirming the right to freedom of expression within the context of restrictions and obstacles faced by civic spaces. This resolution emphasized the freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers. It called on states to prevent violations of this right and related rights, ensuring non-discrimination against those exercising these rights. The resolution stressed the need to ensure that national security, including the fight against terrorism, should not be used as a pretext to arbitrarily or unjustifiably restrict the right to freedom of opinion and expression.³⁰

Moreover, in October 2012, the Human Rights Council adopted Resolution 16/21 on the rights to freedom of peaceful assembly and of association. This resolution reminded states of their obligations to fully respect and protect the rights of all individuals to peaceful assembly and association, both online and offline. It emphasized the crucial role of these rights for civil society and called on states to ensure that any restrictions on the exercise of these rights are compatible with their obligations under international human rights law.³¹

Second: Rights of Human Rights Defenders

The Declaration issued by the United Nations General Assembly in December 1998 on the right and responsibility of individuals, groups, and organs of society to promote and protect universally recognized human rights and fundamental freedoms is the cornerstone

30 United Nations General Assembly, Human Rights Council, Resolution 21/16 on the rights to freedom of peaceful assembly and of association, October 12, 2009, at: <https://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=4dc113232>

31 United Nations General Assembly, Human Rights Council, Resolution 21/16 on the rights to freedom of peaceful assembly and of association, October 11, 2012, at: <https://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=50ae2a182>

of the universal legal recognition of the rights of human rights defenders. The Declaration guarantees that every human being, both individually and in association with others, has the right to promote human rights and fundamental freedoms and to seek their protection and fulfillment at the national and international levels. These rights and freedoms encompass the right to peaceful assembly, the right to form, join, and participate in non-governmental organizations, associations, or groups, and the right to communicate with non-governmental organizations or intergovernmental organizations. Additionally, individuals have the right to freedom of access, transfer, and circulation of information, as well as the right to have effective access, on a non-discriminatory basis, to participate in public affairs, provide criticism, and engage in peaceful activities against human rights violations. Moreover, individuals have the right to seek, receive, and utilize resources for the purpose of promoting and protecting human rights and fundamental freedoms through peaceful means. Furthermore, everyone is entitled to enjoy effective protection and fair legal and judicial remedies, and it is the responsibility of the state to provide such protection.³²

Resolution 22/6 on the protection of human rights defenders (March 2013) called upon states to “publicly acknowledge the crucial and legitimate role played by human rights defenders in promoting human rights, democracy, and the rule of law, recognizing it as an essential component in safeguarding their freedoms. This can be achieved by respecting the independence of their organizations and refraining from stigmatizing their activities.”³³

Right to a Conducive, Safe and Enabling Civic Work Environment

In the years 2013 and 2014, the Human Rights Council adopted Resolutions 24/21 and 27/31 addressing the space available for civil society. These resolutions called upon states to “publicly recognize the crucial and legitimate role played by civil society in promoting human rights, democracy, and the rule of law. States were urged to collaborate with civil society, enabling its active participation in public debates on decisions that contribute to the advancement and protection of human rights and the rule of law, as well as other relevant matters.” Furthermore, the resolutions emphasized the need for states to “establish, both

32 United Nations General Assembly, Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, Resolution 53/144 December 1998, March 8, 1999, at: <https://www.un.org/ar/ga/53/res/r53144.pdf>

33 UN General Assembly, Protection of Human Rights Defenders, Resolution 22/6, April 12, 2013, at: <https://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=53bfa8734>

in law and in practice, a secure and enabling environment in which civil society can operate freely, without obstacles or insecurity.” Additionally, the resolutions affirmed “the right of every individual, alone or in association with others, to unhindered access to subregional, regional, and international bodies, and to communicate with them, particularly the United Nations, its representatives, and mechanisms.” Non-state actors were also urged to “respect all human rights and refrain from undermining the functioning of civil society in an environment free from obstacles and insecurity.”

Besides, resolution 22/6 on the protection of human rights defenders (March 2013) urged States to “create a safe and enabling environment where human rights defenders can operate free from hindrance and insecurity, in the entire country and in all civil society sectors, including through providing support to local human rights defenders.”

Domestic Legal Framework

Yemen's 1991 Constitution and its amendments guarantee fundamental rights, such as the freedom of trade union and professional organization, association, the right of people to peaceful assembly, and freedom of opinion and expression. These rights are protected within a democratic system of government that is based on the principles of separation of powers, party pluralism, and the rotation of power through free and fair elections.

In 2001, the constitutional authorities introduced a new law governing civil society organizations (Law No. (1) of 2001 on Civil Society Organizations). This law replaced the previous Law No. 11 of 1963, which had been in effect in the northern part of Yemen before the country's unification in 1990. The new law aimed to regulate a more diverse and complex civic landscape that emerged after the unification. Article 3 of the Law highlights its objectives, which are to promote civil society associations and organizations and support their engagement in comprehensive development. It also aims to strengthen the role of civil society organizations (CSOs) in fostering democratic practices and establishing a Muslim civil society. The article emphasizes the importance of providing guarantees that ensure the complete freedom and autonomy of civil society to carry out its activities. It further emphasizes that these activities should align with the social responsibilities of civil society.

The Law establishes a theoretically balanced foundation for the relationship between State institutions and civil society. It recognizes that the role of civil society extends beyond development and emphasizes its importance in achieving democratic progress. It grants legal legitimacy to non-governmental organizations registered as “Social Society Organizations” and ensures that all citizens, without discrimination, have the right to form civil associations

and organizations, provided their objectives comply with the Constitution and existing laws and regulations (Article 4).

Furthermore, the Law safeguards the rights of civil organizations by allowing them to file complaints with the competent courts against unlawful actions taken by the Ministry or any government entity (Article 71). It also permits civil society organizations to receive support, including in-kind assistance and external funding, for lawful activities requested by international agencies (Article 23).

Regarding dissolution, a civil society association or institution can only be dissolved upon a final judgment issued by a competent court (Article 44). This article limits the ministry's ability to initiate a dissolution lawsuit, requiring the ministry to have previously sent three notices to the organization over a period of not less than six months, requesting necessary corrections for any violations committed.

Individuals found guilty of attempting to offend or harm the reputation of any civil society organization or disrupt its activities, whether from within or outside the organization, are subject to penalties under Article 69 of the Law. As per Article 18, the government is obligated to provide financial and in-kind support to civil society organizations, subject to procedural and substantive conditions that ensure the activities of these organizations benefit the public. Additionally, civil society organizations and similar entities are granted privileges, including tax exemptions on all their revenues and sources of income, as well as reduced tariffs on water and electricity consumption (Article 40).

Most of the procedural conditions stipulated by the Law regarding the foundation of civil society organizations are without prejudice to the right of association. However, the Law required, for civil society registration and publicity, the submission of a written application, accompanied by a copy of the organization's articles of incorporation and articles of association, to the relevant ministry, namely the Ministry of Social Affairs (Article 8), against a official written receipt by the Ministry acknowledging their receipt of the application. The Law grants the ministry the authority to reject the application with a reason and notify the founders in writing within one month of submission (Article 10). Thus, the Law connects the right to form civil society associations and institutions and to have them recognized as legal entities with the approval of the relevant ministry.

While the law grants the “concerned persons” the right to challenge the decision to reject the registration before the competent court within sixty days of being informed (Article 11), it is noteworthy that the ministry's authority to refuse registration comes after the founders

(concerned persons) have already completed the articles of incorporation, developed the articles of association, and established the organization's objectives without interference from the authorities. However, it is important to highlight that the Law does not limit the ministry's power to refuse registration solely to cases where the founders have violated the conditions of incorporation. This unrestricted discretion opens the possibility of arbitrary refusals based on personal or political factors.

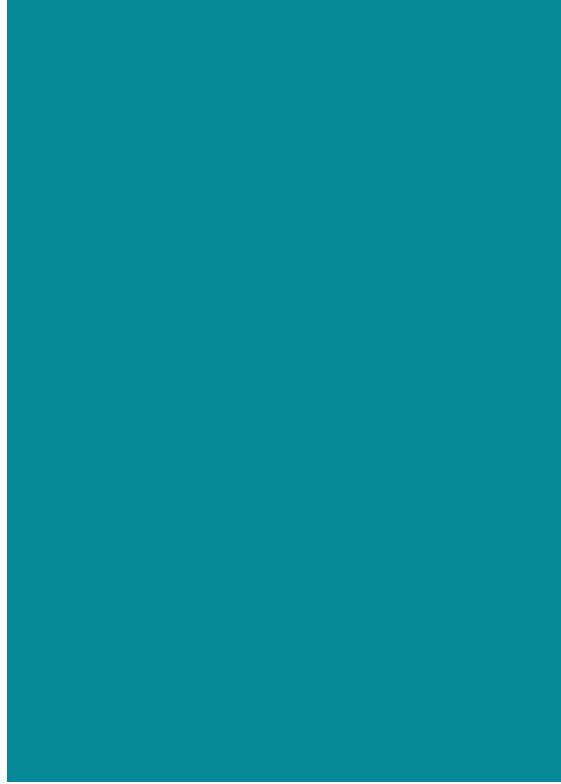
Furthermore, the Law restricts the right of civil organizations to establish branches in different governorates by the phrase of "as required by the interest" (Article 15). The problem lies in the ambiguity and vagueness of this phrase. The executive regulations of the Law further reinforce this restriction by stipulating that branches must obtain a license from the relevant ministry, with the license requiring annual renewal (Article 9 of the regulations). This leaves the ministry with implicit discretion in determining the licensing requirements. Additionally, the law mandates organizations to obtain licenses from ministries other than the relevant ministry when their activities intersect with the responsibilities of those ministries, such as the Ministry of Youth and Sports, the Ministry of Health, the Ministry of Culture, and others. These ministries usually impose additional requirements and restrictions for issuing licenses, which are not explicitly mentioned in the law.

Regarding control and supervision, the Law grants the Ministry of Social Affairs and Labor the authority to legally supervise and control the activities of civil society organizations (Articles 6 and 20). It requires these organizations to annually submit a technical report, along with a financial report and reports from the Control and Inspection Committee, to the Ministry. However, Article 126 of the executive regulations empowers the minister to determine the procedures for legal control and supervision through a personal decision. This allows the minister to establish detailed and restrictive control procedures that are not explicitly stated in the Law. The provision in the regulation stating that the control procedures should not conflict with the Law does not effectively limit the minister's power, as the Law itself does not outline specific procedures for legal control, except for the requirement of annual reports. Furthermore, Article 5 of the executive regulations expands the scope of "technical control" to include the involvement of the concerned ministry whenever the organization's activities intersect with that ministry's tasks, in addition to the Ministry of Social Affairs.

The Law imposes restrictions on local organizations in terms of receiving foreign aid and funding, stating that it should be done "with the knowledge of the ministry" (Article 23-a). Additionally, the right to engage in activities requested or assigned by foreign entities is restricted by the requirement of "approval from the Ministry" (Article 23-b). The intention

behind using two different terms was to distinguish between receiving external funding, which only requires informing the ministry, and engaging in activities for the benefit of foreign parties, which necessitates prior approval. However, the executive regulations have blurred this distinction. According to Article 20 paragraph 6 of the regulations, civil organizations are now required to inform the ministry in advance when seeking funds or in-kind assistance from external resources. Regarding government support, the law specifies that the activities of civil organizations must be for the public benefit. However, the criteria for determining what constitutes the public benefit are loosely defined in the Law, particularly for civil organizations considered public benefit institutions.

On the other hand, Law No. (13) of 2012 guarantees the right to access information for all citizens, known as the right to information. Article 3 of this Law emphasizes the importance of securing and facilitating this right without delay, expanding the rules for exercising rights and freedoms, and enabling society to enhance its capabilities in utilizing information. The Law grants every individual, whether natural or legal person, the right to request information from relevant authorities without any legal repercussions upon submission of the application. It also allows access to information through publication. Article 18 of the Law gives priority to requests made by journalists, news collectors, and individuals working in time-sensitive roles or requesting information related to matters of public interest or public affairs. In case the request for information is rejected by the responsible authority and the applicant is dissatisfied with the reasons provided, Article 23 of the Law allows the applicant to file a complaint with the Office of the Commissioner-General for Information and, if necessary, to seek judicial recourse if unsatisfied with the decision of the Office of the Commissioner-General. However, Article 24 of the Law outlines certain types of information that are prohibited from being obtained, such as information pertaining to weapons and military operations, information whose disclosure could impede crime prevention or detection, apprehension or prosecution of offenders, or hinder the administration of justice.



Civil Society Space in Yemen: The Formation and Transformation Overview

After the British colonial period, the city of Aden in the southern part of Yemen witnessed the emergence of limited and basic forms of voluntary civil society organizations in the early 20th century. The education movement in the British colony led to the establishment of early student clubs that advocated for reforms in the colonial education system and the adoption of Arabic as the official language of instruction. The growth of migration to Aden, driven by the establishment of Aden refineries in 1952 and the expansion of the city's port into a global commercial hub, played a significant role in the formation of trade unions.³⁴ Expatriates from the northern regions of Yemen formed cultural, literary, and social clubs of a charitable nature to address their interests, particularly due to British laws that treated them as foreigners and denied them equal rights enjoyed by Aden residents.³⁵ By the 1950s, the number of cultural, social, and sports clubs and associations in Aden had reached 47.³⁶

Under the British administration, non-political clubs and associations were actively encouraged in Aden. Apart from trade unions, a small group of residents could simply submit a list of objectives and names to the police to obtain legal status for their club or association without significant complications.³⁷ The first women's club, named the British Institute for Women, was established in 1943 and headed by a British woman with the support of the British authorities. After the dissolution of this club, the wife of the Deputy Governor of Aden established another club in 1952, known as the Aden Women's Club. While Yemeni women were involved in this club, there was discontent over its limited focus on foreign events.³⁸ Consequently, in 1956, Adeni women formed a separate association called the Arab Women's Association.³⁹

These clubs and institutions quickly became involved in politics and extensive social work, driven by a sense of patriotism. Despite the British authorities' tendency to label their self-help initiatives, several clubs expanded their roles in social and educational spheres. They sent students abroad, established charitable schools and ventures, provided assistance to the sick, educated underprivileged children, offered refuge to rural Yemeni expatriates in

34 Ibrahim Khalaf Al-Obaidi, *The National Movement in Southern Yemen 1945-1967*, PhD thesis, University of Baghdad, 1979, p. 52.

35 Thaira Shaalan, *NGOs and Civil Society in Yemen*, in: Remy Louveau, Frank Marmieh and Hugo Stanbach (supervision), *Contemporary Yemen*, translated by Ali Muhammad Zaid (Beirut: Al-Furat for Publishing and Distribution, 2008), p. 333.

36 Al-Obaidi, p. 101.

37 Ibid.

38 Al-Obaidi, p. 103.

39 Shaalan, p. 333.

Aden, and organized seminars, cultural events, and political discussions. Eventually, they managed to initiate a political movement against British colonialism in Aden. Furthermore, the civic space in Aden provided a relatively favorable haven for the formation of associations that opposed the rule of Imam Yahya Hamid al-Din in the north. Notable among these were the Great Yemeni Society (1946) and the Yemeni Union Club (1952), which emerged after the British authorities suspended the activities of the Liberal Party, which opposed the regime in the north, in 1945.

In the northern regions of Yemen, Imam Yahya, who assumed power after the departure of the Turks, aimed to establish his personal religious authority. To solidify his position, he targeted potential rivals not only among the influential tribal families and those sharing his Hashemite lineage but also within the broader community. For instance, he disrupted the activities of Hijjar Al-Elm [Knowledge Shelters], which were centers of religious education that offered services to knowledge seekers in rural and urban areas. He confiscated their properties and transferred them to the control of the Endowments and Property authority, thus attempting to undermine the social foundation of religious scholars.⁴⁰

Although the policies of Imam Yahya in the northern regions of Yemen had contributed to the emergence of a robust political opposition movement since the 1930s, the presence of civil society in the north was limited to a few organizations. One notable example is the Literary Reform Club, established in 1934 in the city of Al-Turbah, Taiz Governorate, by Ahmed Mohammed Noman, a proponent of political and social reform. This club once resembled literary clubs in neighboring city of Aden.⁴¹

In the late 1960s, active civil society organizations started to emerge in the central and southern regions of northern Yemen. The cooperative civil work experienced significant growth, primarily fueled by remittances from Yemeni expatriates in Saudi Arabia and other Arab Gulf countries. With development programs facing challenges, state institutions becoming stagnant, and political conflicts persisting, the people took initiative through voluntary non-governmental organizations and mutual benefit associations of a for-profit nature. They undertook various initiatives such as building schools, establishing health centers, constructing secondary roads in rural areas, and providing financial aid and healthcare assistance to those in need within local communities. By the mid-1970s, the state

40 Abdulaziz Qaed Al-Masoudi, *Milestones of Yemen's Contemporary History: The Social Forces of the Yemeni Opposition Movement 1905-1948*, (Sana'a: Al-Sanhani Library, 1992), pp. 95, 200.

41 Ali Mohammed Zaid, *Republican Culture in Yemen* (d.m.: Arwaqa Foundation for Studies, Translation and Publishing, d.t.), p. 91.

adopted an active policy to promote cooperative civil work, alongside substantial efforts to revitalize the state's role in development.

After the establishment of a unified Yemen in May 1990, civil society in Yemen entered a new phase, marked by the emergence of numerous local organizations. In the same year, the number of registered civil organizations at the national and local levels reached 2,700. These organizations represented a modern iteration of civil society, coexisting alongside the pre-existing civil society structures, or on its fringes. The landscape of civil society in Yemen was predominantly shaped by these newer organizations, highlighting an important characteristic of civil society in Yemen. It is crucial to recognize that the civil society that existed before the unification was not merely a primitive precursor to modern civil society but rather an integral part of it, encompassing and influencing all its aspects.

During the period from 1990 to 1993, the civic space in Yemen experienced a significant degree of freedom, largely due to a balance of power between the two main political parties, namely the General People's Congress and the Yemeni Socialist Party. This period witnessed the establishment of numerous civil society organizations, as well as the growth of press and trade union activities. However, the ruling parties were not genuinely supportive of an independent civil society.⁴² They tended to interfere in civil society affairs and sought to populate it with affiliated organizations. As political crises unfolded, the environment became increasingly polarized, resulting in the shrinking of flexible and open spaces for civil society. Moreover, the lack of organizations dedicated to monitoring abuses was a notable challenge for the civic space. It is possible that external funders were reluctant to jeopardize their relationships with the government, which may have contributed to the scarcity of monitoring organizations.⁴³

In fact, the period from 1990 to 1993 did not represent a golden age for civil society in Yemen. Rather, it was the post-civil war period in July 1994 that created an illusion of progress for civil society, which is paradoxical. The war itself highlighted the negative consequences of political polarization on civil society and the dangers of transforming it into a battleground associated with fluctuating and conflicting political forces. The two victorious parties in the war, the General People's Congress and the Yemeni Islah Party, aimed to dismantle what they perceived as civil society institutions closely aligned with the losing party, the Yemeni Socialist Party, and its traditional influence in the southern governorates. Consequently, numerous local associations and organizations in Aden were forcibly shut

42 Abdul Baqi Shamsan, *Freedom of Association in the Republic of Yemen* (Taiz: Human Rights Information and Training Center, 2008), p. 13.

43 Shamsan, p. 42.

down.⁴⁴ Furthermore, the authorities sought retribution against the press, which they viewed as their staunch enemy prior to the war. They targeted writers and journalists, imposed travel restrictions, tightened control over newspapers, and increased customs taxes on paper imports to suppress opposition and independent publications. As a result, out of the 93 newspapers, magazines, and publications that existed before the war, only 30 continued to be published in the months following its conclusion.⁴⁵

The post-war regime implemented controversial constitutional amendments that impacted approximately one third of the existing Constitution. Despite maintaining provisions on the right to association and freedom of opinion and expression in theory and propaganda, the regime's actions aimed at shrinking the space for civil society and imposing tight restrictions. From 1995 to 2010, the regime successfully marginalized civil society and diminished its influence, capitalizing on the preferences of international donors for stability in Yemen and their support for the comprehensive economic reforms led by the regime.

In March 1995, the government introduced an economic, financial, and administrative reform program, committing to implement an economic stabilization and structural adjustment program based on World Bank recommendations. As a result, the government received significant grants of approximately \$500 million in 1996, aimed at fostering sustainable development. In 1997, the second donor conference took place in Brussels, where bilateral pledges of \$1.8 billion were made to support the government's economic reforms.⁴⁶

Donor policies reinforced the regime's inclination to marginalize civil society in the development partnership, limiting its involvement to a minimum extent. After the USS Cole incident in the port of Aden in October 2000, and the Yemeni regime's engagement in the "war on terror," the regime enjoyed favorable international relations and generous donor support. During the Friends of Yemen Conference held in London in November 2006, the government received pledges exceeding \$5 billion specifically designated for security and economic objectives as part of its counter-terrorism obligations.⁴⁷

44 Shaalan, p. 336.

45 Nasser Muhammad Nasser, *The Yemeni Political Crisis 1990-1994* (Sana'a: Dar Al-Taquddum Al-Alami, 2010), p. 186.

46 Mansour Ali Al-Bashiri, *Development and Foreign Aid in Yemen*, in: Yahya bin Yahya Al-Mutawakkil (ed.), *The Political Transition in Yemen and Its Economic, Social and Humanitarian Repercussions 2011-2015* (Sana'a: Economic Observatory for Studies and Consultations and Friedrich Ebert-Stiftung 2016), p. 110.

47 Yemeni Observatory for Human Rights, *Annual Report on Human Rights and Democracy in Yemen 2010: Terrorism and the Strategy of Staying in Power*, Sana'a 2011, p. 51.

The influx of international generous funds without adequate mechanisms for transparent governance and aid oversight only served to enable the regime's disregard and suppression of civil society. The limited concessions granted to civil society during this period came in the form of the Civil Associations and Organizations Law issued in January 2001, which was a response to international pressure for legal reforms. However, this Law imposed restrictions on local civil society organizations' direct access to external funding. The executive regulations accompanying the Law, issued in 2004, further emphasized the government's control over international assistance, aligning with international efforts to prevent funds from reaching civil society organizations without the government's knowledge, particularly in the context of the global counter-terrorism campaign. Consequently, the international assistance provided to the government indirectly contributed to the shrinking of civil society space in Yemen during this period, with little consideration for the long-term implications of such policies.

During that stage, civil society faced significant challenges. In October 2004, the authorities took legal action against 1,400 organizations and associations, accusing them of law violations. Out of the total 4,106 registered civil society associations and organizations at the time, approximately 30% were found to be inactive and existed only on paper.⁴⁸

Despite various factors, including those related to civil society, it is challenging to overlook the significant negative influence of donor policies that aligned with the regime's repressive actions against civil society during that period. One manifestation of the regime's control over civil society was the restriction of freedoms and civil rights under the pretext of counterterrorism. This was evident in the enactment of Law No. 29 of 2003, which aimed to limit the right to peaceful assembly and demonstrations. Additionally, the establishment of a dedicated court for journalists, known as the Press and Publications Court, in May 2009 further demonstrated the regime's tightening grip on media freedom.⁴⁹

Beginning in 2006, there was a partial loosening of the government's control over civil society in practice. This trend continued to intensify until the eruption of popular protests in February 2011. The presidential elections in September 2006 posed a significant challenge to the regime. Therefore, one can observe that the developments in the political landscape at

48 Faisal Al-Sufi, *The Role of Civil Society Institutions in Culture*, in: Hamid Al-Awadi (ed.), *Yemeni Culture: Reality and Future Prospects* (Sana'a: AL-Afif Cultural Foundation, 2006), p. 452. On the forms of government interferences in civil society during the period from 2004 to 2006, see: Adel Al-Sharjabi, *The Intermediate Space between the Elite State and the Patriarchal Family: An Analysis of the Structural Factors Affecting the Effectiveness of Civil Society in Yemen*, A Study Presented to the Symposium on Civil Society and Freedom of Association organized by the Association for Freedom of Thought and Expression in Cairo, 24-25 November 2006, pp. 9-10.

49 Yemeni Observatory for Human Rights, p. 58.

the time had diverted the regime's attention away from civil society, and that the enthusiasm of international donors diminished due to the regime's inability to effectively utilize aid and achieve the desired goals of economic reform.

As Yemen entered the political transition phase based on the Gulf initiative and its executive mechanism, which was signed in late 2011, a more inclusive and less repressive environment for civil society began to take shape. The violent repression that the former regime had employed against civilian protesters started to diminish, and the restrictions on peaceful assembly, freedom of expression, and press freedom were lifted. Small groups of young activists emerged both online and offline, leading to an expansion of the civil society landscape. It is estimated that between 10,000 to 16,000 civil society organizations operated in Yemen from 2011 to 2016, engaging in various areas such as charitable work, promotion of women's rights, human rights, freedom of the press and expression, as well as development and youth initiatives.⁵⁰

At an official level, the transitional government established a new framework for partnership with civil society organizations in 2013, following the outcomes of the donors' conference held in Riyadh in September 2012. This framework aimed to address societal needs and enhance the capacity of civil society organizations through various programs.⁵¹ According to those programs, civil society organizations actively participated in discussions about the country's political future, including their representation in the Comprehensive National Dialogue Conference held from March 2013 to January 2014. During this period, human rights work, such as monitoring and documenting human rights violations in Yemen, thrived, and domestic civil society organizations strengthened their relationships with international partners. However, it is important to note that the new thrive of civil society did not occur within a stable political environment with a clear trajectory towards an irreversible democratic transition. Instead, it took place amidst a turbulent political transition marked by security challenges, fragile and inconsistent power structures, distrust between key political actors, and a tendency of some to resort to violence in order to reverse the course of transition. Additionally, the commitments of the transitional government to facilitate the work of civil society organizations in the realm of human rights and to enhance their participation

50 Vincent Durac, Perspectives on the role of Yemen's CSOs in the current civil war, Contact Konrad-Adenauer-Stiftung. August 2021:

<https://www.kas.de/documents/286298/8668222/Policy+Report+No+32.+21-08-30+Perspectives+on+the+role+of+Yemen%E2%80%99s+CSOs+in+the+current+civil+war+.pdf/6e1e3610-72b0-9817-7a5c-cdc53289ea46?version=1.0&t=1630519696120>

51 USAID, 2013 CSO Sustainability Report for the Middle East and North Africa, at: https://2012-2017.usaid.gov/sites/default/files/documents/1866/2013MENA_CSOSI_ar.pdf

in community-based accountability remained cautious and tentative.⁵²

Consequently, despite the new momentum gained by the civil movement after the 2011 uprising in Yemen, it faced challenges in achieving significant and sustainable progress in expanding the autonomy of the civic space. While civil society organizations exerted pressure to pass a law on the right to information in 2012, their efforts did not succeed in pushing the transitional authorities to enact a comprehensive law on civil society organizations that aligns with international human rights conventions, which Yemen is a signatory to. Furthermore, the lack of coordination among different civic actors in promoting democratic transition weakened their impact amidst a convoluted political conflict driven by intricate domestic and regional interests.

Following the takeover of the Yemeni capital Sana'a by the Ansar Allah (Houthi) armed group (September 2014), civil society responded in three distinct ways, which significantly influenced its perception throughout the country during the ongoing conflict. Some organizations and associations, particularly those with clear political affiliations or easily identifiable ideological stances, as well as semi-governmental organizations like federations, chose to relocate from Sana'a to safer areas within Yemen due to concerns of potential reprisals from the dominant party. Over time, many of these organizations ceased to exist, with the reasons for their disappearance yet to be determined. However, a number of previously unknown organizations managed to reorganize themselves and gradually resumed their activities in their new locations, operating autonomously or aligning themselves with parties opposing the Ansar Allah Houthi group that took control over Sana'a. Furthermore, an unspecified number of local civil society organizations ended up operating outside of Yemen.

Another group of civil society organizations chose to confront the impact of the war by remaining in the capital, Sana'a, albeit temporarily suspending their activities and awaiting the resolution of the ongoing political situation, the stability of which remained uncertain. However, they eventually resumed their previous activities or engaged in new endeavors, adapting to the new realities and conditions imposed by the prevailing circumstances, recognizing that the conflict was far from reaching a swift conclusion. A third segment of local organizations, on the other hand, permanently withdrew from the scene either immediately or shortly after the conflict erupted, often due to direct acts of repression they were subjected to.

52 Ibid.

The ongoing conflict has further fragmented the already diverse and fragmented civil society landscape, primarily due to divergent political loyalties. The repressive policies implemented by the Ansar Allah group (Houthis) from the onset of the conflict compelled civil society actors to devise individual strategies to survive or go into hiding, without making substantial efforts to form a unified civil front in response to the war or to protect the collective gains of civil society.

A similar scenario unfolded when the conflict escalated in major cities like Aden and Taiz, which have traditionally been hubs for civil society activities in Yemen. Once again, the repressive policies implemented by both the internationally recognized government and the Southern Transitional Council played a central role in dismantling the civil landscape, undermining its presence, and grossly violating its rights to operate, assemble peacefully, and exchange and disseminate information.

There is a lack of comprehensive and reliable statistics regarding the extent of the damage inflicted upon civil society in Yemen, as well as the types of repressive policies employed by the different parties involved in the conflict.⁵³ However, it is undeniable that these policies have resulted in a range of measures that restrict civil society's activities, including arbitrary limitations, violations, violent attacks, direct harassment, and targeting of various civil society actors and activists representing diverse interests. Moreover, the conflicting parties actively sought to establish civil society organizations aligned with their own interests. For example, the Houthis established approximately 1,500 NGOs in the areas they controlled between 2014 and 2018.⁵⁴

The presence of multiple actors in the conflict, including the conflicting parties and their armed forces, has unintentionally created partially alternative workspaces for some organizations that faced unjust closure or harassment in areas under the control of Ansar Allah (Houthis). However, this situation has also increased the politicization of civic space and intensified pressures to manipulate civic work and discriminate against civil organizations and activists who have relocated their activities to other areas.

53 According to an English-language study based on a 2015 survey, 70 percent of civil society organizations in Yemen have been shut down since the beginning of the conflict in March 2015, while 60 percent have faced violence, looting, provocation, harassment, or asset freezes. Upon revisiting to the survey referred to by the aforementioned study, it was found that it is a partial survey conducted by the Studies and Economic Media Center, a local non-governmental organization, in May 2015 covering a sample of no more than 61 organizations in 12 Yemeni governorates. See: Moosa Elayah and Willemijn Verkoren, *Civil Society During War: The Case of Yemen*. PEACEBUILDING, Volume 8, 2020 – Issue 4: <https://www.tandfonline.com/doi/full/10.1080/21647259.2019.1686797>. The report can be found at: Studies and Economic Media Center, *A Survey Study on the Situation of Local Civil Society Organizations in Yemen*, May 25, 2016, at: <https://economicmedia.net/?p=169>

54 Vincent Durac, *Ibid.*

In its 2022 report, the the Panel of Experts on Yemen highlighted that violations such as arbitrary arrests and detentions, enforced disappearances, torture, and ill-treatment are endemic and committed by all parties involved in the conflict. The report emphasized that these violations are carried out with impunity.⁵⁵ Throughout the reporting period, the GEE investigated 18 cases of arbitrary arrest and detention by government forces in Hadramawt, Shabwa, Marib, and Taiz. It also examined 16 cases of arbitrary arrest and detention by armed groups affiliated with the Southern Transitional Council (STC) in Aden, Lahj, and Socotra, including two journalists. The report further stated that the Panel of Experts on Yemen investigated 17 cases involving 50 victims of violations of international humanitarian law or international human rights law committed during arbitrary detention, including sexual violence and torture by Houthi authorities. Among the victims were six journalists and 11 women.

Despite some improvements in accessing and distributing humanitarian aid in areas controlled by Ansar Allah (Houthis), the report noted constant obstacles imposed by the de facto authorities. These included delays in approving implementation sub-agreements, demands for detailed beneficiary lists, pressure to influence aid partners, access restrictions, denial of movement, and arbitrary requirements such as the imposition of a Mahram (relative escort) on female staff. The report also noted instances of harassment and obstruction faced by humanitarian personnel. Local authorities often impose their own conditions at checkpoints, hindering the passage of aid trucks or threatening humanitarian actors. The Group documented five incidents where humanitarian personnel or trucks were obstructed at checkpoints, as well as three incidents of vehicles owned by humanitarian organizations being hijacked by unknown actors in Abyan and Taiz. Additionally, in April 2020, a humanitarian organization had to suspend its activities for several months due to a dispute over incentives for government employees in southern Yemen.⁵⁶

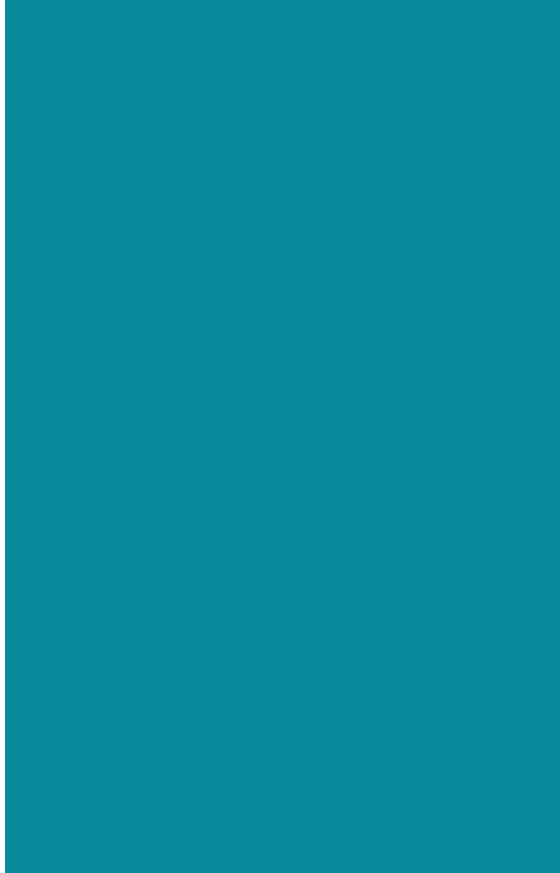
In 2021, Mwatana for Human Rights documented a minimum of 86 incidents where parties to the conflict impeded the access of humanitarian aid and essential materials to civilians. The Ansar Allah (Houthi) armed group was responsible for 73 of these incidents, which included the arrest of six humanitarian aid personnel. The Southern Transitional Council was responsible for seven incidents, including the killing of an aid worker and the injury of another. Government forces committed five incidents, and the Joint Forces were responsible for one incident.⁵⁷

55 Final Report of the Group of International Eminent Experts (GEE) on Yemen, 26 January 2022.

56 Ibid.

57 Mwatana for Human Rights, A New Year Added to the Age of Bloody Conflict: Press Briefing on the Situation of Human Rights in Yemen, 2021, at: <https://mwatana.org/bloody-conflict/>

In the same year, Mwatana documented four incidents of violations against five journalists and media professionals. The Southern Transitional Council forces were responsible for the arrest of one journalist, while the Ansar Allah group (Houthis) was responsible for the arrest of two journalists, and the government forces were responsible for the arrest of two journalists. Furthermore, the Ansar Allah group (Houthis) continues to arbitrarily detain four journalists, who are now facing the death sentence after an unfair trial at the Specialized Criminal Court in Sana'a in April 2020. Mwatana also monitored two incidents of attacks on peaceful assemblies in the cities of Mukalla and Lahj, conducted by government forces and the forces of the Southern Transitional Council. Additionally, Mwatana documented five incidents of restricting the freedom of movement of civilians in various regions of Yemen during the year 2021.



Overview of the Armed Conflict in Yemen

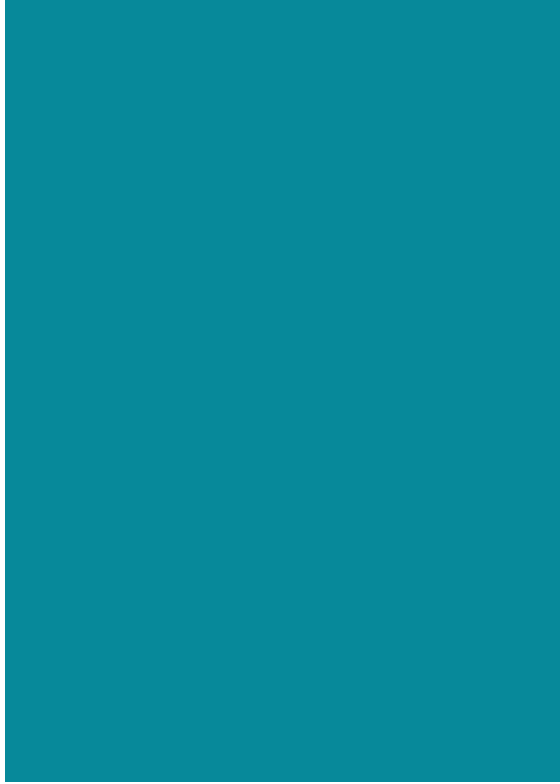
The armed conflict in Yemen began in September 2014 when the Iran-backed Ansar Allah (Houthi) armed group and forces loyal to former President Ali Abdullah Saleh forcibly took control of the capital, Sana'a. The conflict further escalated in March 2015 with the initiation of military operations by the Saudi/UAE-led coalition against the Houthi and Saleh forces, in support of the internationally recognized government led by former President Abd Rabbu Mansour Hadi. Throughout Yemen, all parties to the conflict have committed violations of international humanitarian law and international human rights law without facing accountability. The civilian population in Yemen has suffered from a range of violations, including the devastating impact of explosive weapons. As a result of the ongoing conflict, which has surpassed eight years, along with overall economic deterioration and the collapse of essential services, Yemen is experiencing the world's most severe man-made humanitarian crisis, as estimated by international agencies.

The conflict in Yemen has resulted in a significant number of civilian casualties, with approximately 14,000 deaths and injuries since 2017. The displacement crisis is also severe, as over 4.3 million people have been forced to leave their homes since 2015, making it the fourth largest internal displacement crisis in the world.⁵⁸ Consequently, more than 20 million Yemenis are in urgent need of humanitarian assistance, facing critical shortages in food, healthcare, and infrastructure. The United Nations stated that it has "verified the deaths and injuries of over 11,000 children between March 2015 and November 2022. More than 4,000 children were recruited by the warring parties, and there were over 900 attacks on educational and healthcare facilities or their use for military purposes."⁵⁹

By mid-2022, there was a sense of optimism following the UN-backed humanitarian truce agreement in April. The truce aimed to alleviate restrictions imposed by the Saudi/UAE-led coalition, allowing the entry of oil derivatives ships to the port of Hodeidah and enabling weekly flights from Sana'a airport to Amman and Cairo. It also involved negotiations for the release of prisoners and detainees, as well as the opening of roads and crossings of the city of Taiz, which have been besieged by the Ansar Allah group (Houthis) since the beginning of the war. Consequently, there have been some improvements in the lives of people residing in areas controlled by the Ansar Allah group. Although the truce was not officially renewed or scaled up to encompass economic and humanitarian issues in October 2022, a state of de-escalation has been maintained since then. Concurrently, the United Nations and the Sultanate of Oman have been facilitating intensive and substantial talks to broaden the truce, establish a ceasefire, and initiate political discussions among Yemeni parties under the United Nations' auspices.

58 Yemen Humanitarian Response Plan 2022 (April 2022), OCHA: <https://reliefweb.int/report/yemen/yemen-humanitarian-response-plan-2022-april-2022>

59 The United Nations, More than 11 million Yemeni children in need of humanitarian assistance, and a child dies every 10 minutes from preventable causes, at: <https://news.un.org/ar/story/2023/03/1119157>

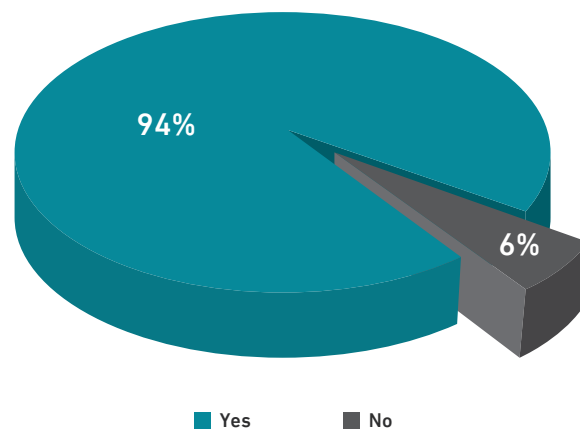


Study Findings and Key Themes

Theme 1: Analysis of the Patterns of Overall Repression of Civil Society Space in Yemen

During the conflict, the warring parties practiced various forms of repressive measures against civil society space. These forms of repression included administrative and legal restrictions, arbitrary measures, and extrajudicial violations and reprisals. According to the survey conducted, a staggering 94.3% of local organizations reported being directly subjected to arbitrary restrictions, violations, and violent and flagrant reprisals. This high percentage demonstrates the widespread nature of repressive measures, affecting all aspects of civil society in Yemen, including non-governmental organizations (NGOs), associations, federations, trade unions, and other civil, human rights, relief, and humanitarian activities. Notably, the extrajudicial violations and abuses highlight the severe levels of violence and the direct risk faced by all actors within the civic space during the conflict.

Figure 3: Civil Society Organizations Subjected to Actual Repressive Measures During the Conflict



The wide range of restrictions and violations targeting civil society reflects a comprehensive and non-routine approach to repression employed by the warring parties. Motivated by hostile perceptions and a desire for control, the parties seek to reshape and dominate the civic landscape as a means of exerting power and influence. In pursuit of this goal, the parties disproportionately impose arbitrary restrictions and measures, often leveraging legal justifications, alongside physical and symbolic violence. Their goal is to repress its roles, instill fear, and coerce it into aligning with their agendas for self-preservation. This systematic strategy aims to besiege civil society and undermine its autonomy, thereby weakening its capacity to advocate for its own survival.

Multiple Means of Repression: One Repression with Diverse Tactics

The internationally recognized government's repressive treatment of the civil society space can be traced back to a historical legacy of authoritarianism that seeks to dominate and suppress all forms of civic engagement. This pattern of behavior continues in a different context and addresses evolving needs. However, it is important to note that prior to the conflict, there were instances where official dominance coexisted with limited engagement with civil society, prompted by political and developmental challenges and shortcomings over the preceding two decades. The underlying authoritarian tendencies, which aimed to control and marginalize the civic sphere during times of peace, readily transform into outright repression against civil society in times of conflict.

However, the government's tendency to repress civil society is not only rooted in an entrenched authoritarian culture but also reflects a troubling lack of self-control, disregard for the rule of law, and governance failures. Despite being an internationally recognized authority, it fails to fulfill its basic legal obligations to safeguard public freedoms and rights, as well as to provide the necessary protection for civil society. Instead, it undermines and mistreats civil society, particularly when it faces challenges.

On the one hand, the conflicting parties, driven by the urgency to establish a politically and legally viable authority, perceive civil society as a manifestation of underlying imbalances in the pre-conflict status quo. Despite their own sense of legal vulnerability, their repressive actions seem to stem from a limited acknowledgment of the legitimacy of national civil society. This is evident in their limited recognition of the national political entity of the state and its public order. For instance, the Southern Transitional Council views civil society in Yemen as predominantly comprised of "northern institutions," which they believe perpetuate an inherent flaw in the north-south relationship and exert dominance over the entire civic space in the country. According to this perspective, this dominant civil structure historically impeded the growth of southern civil society and continues to reinforce these obstacles with the support of international actors.⁶⁰ International aid organizations further exacerbate this situation by refusing to provide funds and grants directly to emerging southern organizations, instead channeling them through organizations based in northern Yemen.⁶¹ Through the analysis of data from civil society organizations in southern governorates, it

⁶⁰ This was reported by local organizations in some southern governorates.

⁶¹ Organizations provided information about this, very few of which indicated that it received funding from the Transitional Council, while one described itself as southern.

becomes apparent that the Transitional Council has been working to bridge this funding gap by approving financial grants for emerging southern organizations. Their objective is to cultivate an independent southern civil society that aligns with their long-term political goals, which they deem as legitimate. However, this preferential treatment by the Southern Transitional Council is counterbalanced by increased restrictions imposed on other civil society organizations in the areas under its control.

In its attempts to dismantle authentic civil society, the Ansar Allah group (Houthis) actively seeks to eradicate the moral and religious legitimacy of civil society, transforming it into a controlled space where they can assert their power and carry out various forms of repression. Their objective is to suppress or weaken civil society as much as possible and replace it with an artificial version that aligns with their ideological and doctrinal beliefs, as well as their long-term political objectives.

The Ansar Allah group (Houthis) is actively working to expedite the creation of their envisioned “civil” society. They are not only establishing numerous associations and organizations that are loyal to their cause, similar to other parties in the conflict, but they are also establishing an official religious institution, the General Authority for Zakat, at the core of this imagined society. This institution is being empowered to control all aspects related to aid, assistance, and unofficial services for the community.

Institutional Control Structures Over Civil Society Space

The restrictions imposed on civil society space are either generated outside the formal legal frameworks or stem from the ambiguous and loosely defined provisions within the laws and regulations governing civil society. These restrictions exploit existing gaps in the legal framework, which are further widened and misused by the parties to the conflict to unjustly and arbitrarily criminalize, harass, and intimidate various aspects of civil engagement.

Despite their clear disregard for the rule of law, all parties to the conflict have refrained from officially altering the legal framework governing their relationship with civil society. This is because, in their perspective, the ongoing conflict serves as sufficient justification for implementing exceptional measures that restrict civil society without risking severe international consequences and reactions that could result from overtly changing laws. Regardless, the actual arrangements implemented by these parties and the accompanying practices of repression are adequate in placing civil society outside its legal context, depriving its components of legal and acquired rights and guarantees, and subjecting it to abuse, without the need for formal changes to the legal framework.

The parties involved in the conflict have implemented diverse institutional arrangements and power structures with the objective of repressing, encircling, and controlling civil society. These institutional arrangements can be categorized into three models based on their proximity or distance to the legally designated institutions responsible for controlling and overseeing civil society. These models include the substitution model, the hybrid model, and the fragile official structure model.

1 Substitution Model

Following the Ansar Allah (Houthis) group's takeover of the Yemeni capital, Sana'a, in September 2014, they imposed strict unofficial control measures over civil society in their areas of military presence. One of the initial steps taken was the issuance of administrative instructions, prohibiting civil society associations and organizations in their controlled areas from operating without obtaining new licenses from the Ministry of Social Affairs and Labor in Sana'a.⁶² This action marked the establishment of a centralized registration and permit system, which violated existing laws. Numerous civil society organizations, particularly those situated outside of Sana'a, faced difficulties in promptly complying with this requirement due to the challenges imposed by the ongoing conflict. Consequently, their activities came to an automatic halt. Some organizations managed to obtain new licenses through painstaking efforts, yet they encountered additional obstacles preventing them from resuming their operations. These challenges included objections from security authorities, local officials, or "supervisory committees" formed by the Ansar Allah group (Houthis) in the governorates where these organizations operated.⁶³

In November 2019, the Ansar Allah group (Houthis) established the National Authority for the Management and Coordination of Humanitarian Affairs and Disaster Response (NAMCHA), which was granted the powers to approve the formation of non-foreign funded associations, issue work permits, and renew annual licenses. However, the supervision of non-governmental organizations receiving foreign aid remained under the purview of the Ministry of Planning and International Cooperation, as stipulated by the law. Subsequently, the Ansar Allah group (Houthis) expanded the aforementioned body and renamed it the Supreme Council (SCMCHA) for the Management and Coordination of Humanitarian Affairs

62 An interview conducted with an official at the Social Affairs and Labor Office in one of the governorates under the control of Ansar Allah group (Houthis), 26/7/2022.

63 An interview conducted with an official at the Social Affairs and Labor Office in one of the governorates under the control of Ansar Allah group (Houthis), 26/7/2022.

and International Cooperation (SCMCHA). This Council was granted extensive powers, including the approval of association, issuance and renewal of work permits, and oversight of non-governmental organizations receiving funding from foreign agencies. Such powers were previously the responsibilities of the Ministry of Planning and International Cooperation (currently the Ministry of Planning and Development). Consequently, the SCMCHA assumed the role of overseeing agreements with international donors and directing funds allocated to local organizations. This action by the Ansar Allah group (Houthis) significantly undermined the role of official bodies designated by the law. The Supreme Council (SCMCHA) now holds most of the powers previously held by these bodies, with the involvement of security agencies that may have undisclosed representation within the Council.⁶⁴ This situation represents an unprecedented legitimization of security interference in the work of civil society.

The Supreme Council (SCMCHA) exercises arbitrary oversight over the civil society space, monitoring project budgets, employment policies, and determining permissible scopes of work. It requires organizations to submit financial, technical, and administrative reports, and its arbitrary control extends to all stages of survey, design, and implementation of all projects and activities. This approach is often strict, involving scrutiny of details such as “phrases on banners, training material content, participant data, and even car and driver information...”⁶⁵ Moreover, the Council forces local organizations implementing field projects to accommodate its representatives and cover their expenses throughout the implementation period.⁶⁶ It maintains branch offices in all governorates under the control of the Ansar Allah group (Houthis) and appoints delegates at the district and sub-district levels. These delegates provide the Council with control reports that are typically based on their own assessments and influenced by their personal biases.⁶⁷

The Supreme Council (SCMCHA) imposes various restrictions on relief and humanitarian organizations, including the requirement to distribute in-kind and cash assistance based on predetermined beneficiary lists prepared by the Council. It also suspended the complaints mechanism used by many organizations, limiting their ability to engage with beneficiary

64 An interview conducted with an official at the Social Affairs and Labor Office in one of the governorates under the control of Ansar Allah group (Houthis), 26/7/2022.

65 An interview with an official at Planning and International Cooperation Office in one of the governorates under the control of Ansar Allah group (Houthis), 26/7/2022.

66 An interview conducted with a worker of the Supreme Council on 11/8/2022.

67 An interview conducted with a worker at the Supreme Council in one of the governorates on 10/8/2022.

communities.⁶⁸ The Council prohibits organizations from having unilateral and direct access to beneficiaries, regardless of the justification. As an example, organizations assisting mine-affected children are prevented from directly meeting victims or providing assistance, except through Council representatives, to prevent the documentation of cases as human rights violations against the Ansar Allah group (Houthis).⁶⁹ Additionally, the Supreme Council (SCMCHA) exercises its arbitrary oversight by closely monitoring the employees of civil society organizations, field survey workers, and male and female activists. This monitoring may involve tracking their mobile phone numbers or monitoring their movements through individuals residing in the same areas.⁷⁰

The substitution model for controlling civil society is also observed in the areas under the control of the Joint Forces, led by the nephew of former President Saleh, particularly in the coastal city of Mokha in Taiz Governorate on the Red Sea. However, the implementation of this model is relatively less severe compared to other regions. This milder implementation can be attributed to the city's historical marginalization in national policies and the limited scope and influence of its civil society. Despite these factors, the Joint Forces have established an unauthorized center called the "Office of Organizations Affairs in the West Coast" in Mokha. This office is responsible for granting work permits to licensed organizations and monitoring their activities, under the pretext of preventing overlapping areas of operation and ensuring projects are aligned with the interests of the local population.⁷¹

2 Hybrid Model

The Southern Transitional Council's control over civil society in its areas of influence can be characterized as predominantly hybrid. The Council largely maintains the existing formal structures, seemingly coexisting with their designated legal roles. It demonstrates limited inclination to directly involve itself in the registration of civil organizations and associations, as well as in the renewal of licenses and granting of work permits.

In terms of oversight, the Southern Transitional Council (STC) exerts stringent and arbitrary

68 An interview conducted with an official at the Social Affairs and Labor Office in one of the governorates under the control of Ansar Allah group (Houthis) on 26/7/2022.

69 An interview conducted with an official at the Planning and International Cooperation Office in one of the governorates under the control of Ansar Allah group (Houthis) on 26/7/2022.

70 An interview conducted with an official at the Social Affairs and Labor Office in one of the governorates under the control of Ansar Allah group (Houthis) on 26/7/2022.

71 An interview conducted with an official at the local authority in Mokha on 1/8/2022.

control over the civil society space through an unofficial body known as the “Community Committees.” In the city of Aden, which has been fully controlled by the Southern Transitional Council since August 2019, the Community Committees, composed of numerous STC loyalists in various neighborhoods of Aden, have the responsibility of “monitoring and overseeing the work of NGOs.”⁷² Delegates from these committees are assigned to each organization, ensuring close and continuous scrutiny of civic activities. Furthermore, the Community Committees employ covert surveillance techniques, deploying numerous “invisible” members around the premises of civil society organizations across the city. Some of these members clandestinely monitor journalists and activists, gathering information about their activities without drawing attention.⁷³

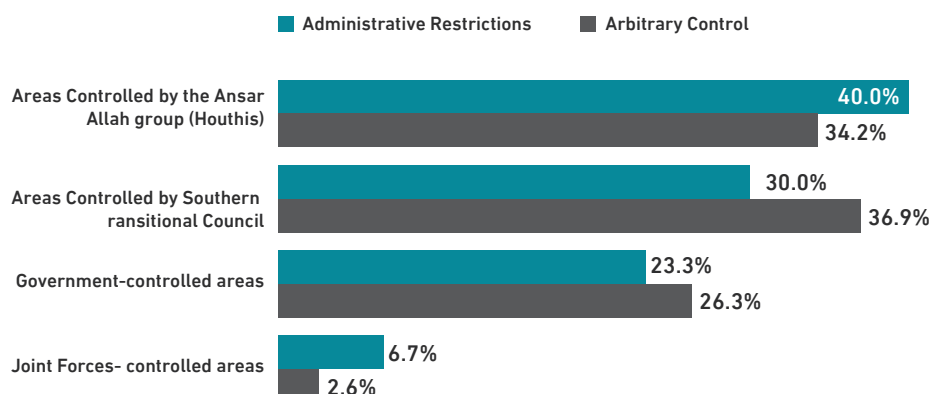
3 Fragile Official Structure Model

Official bodies, such as the Ministry of Social Affairs and Labor and the Ministry of Planning and International Cooperation, in the areas controlled by the internationally recognized government, maintain a visible presence and perform their designated functions and powers outlined in laws governing civil society. These functions include tasks like legal registration, issuing licenses, renewing work permits, approving funded projects, and monitoring their implementation. While these official bodies do not face the challenge of competing with alternative unofficial structures in terms of authority and capabilities, they do impose certain restrictions and measures that impede the civic space, similar to what is observed in areas controlled by other parties like the Ansar Allah group (Houthis) and the Southern Transitional Council. However, the intensity of administrative and control restrictions in government-controlled areas is generally lower compared to the arbitrary control exercised by unofficial or hybrid structures in areas controlled by the Ansar Allah group (Houthis) and the Southern Transitional Council (see Figure 4).

72 An interview conducted with a head of Community Committees in one of the neighborhoods of Aden on 10/8/2022.

73 Ibid.

Figure (4) Intensity of Administrative Restrictions and Arbitrary Control by Conflict Areas



This difference, although primarily quantitative, suggests that more formal structures are generally less inclined to implement measures that repress civil society. This difference can be attributed to individual factors within the official bodies and structures, rather than a strong commitment to upholding the law. Among the government employees of these official bodies, there are individuals with positive attitudes towards civil society, while unofficial structures are often composed of groups that are mobilized against civil society.

Furthermore, officials from official offices in government-controlled areas unanimously state that monitoring human rights defenders is not within the scope of their responsibilities, and their bodies do not carry out any supervision or monitoring activities towards this group. However, it is possible that other official security agencies in the areas controlled by the internationally recognized government may undertake the task of monitoring human rights activists. On the other hand, unofficial structures in areas controlled by the Ansar Allah group (Houthis) and the Southern Transitional Council prioritize monitoring human rights activists as a central part of their operations. Consequently, it can be observed that official administrative bodies responsible for civil society affairs are seldom utilized as channels for repressing human rights defenders, unlike the unofficial structures that consider it an integral part of their duties.

In contrast, official structures in areas under the control of the internationally recognized government exhibit fragmentation and inconsistent roles. The repressive restrictions and measures imposed on civil society by these structures vary based on local dynamics and the prevailing political and security climate in each governorate. As a result, diverse practices emerge instead of a unified pattern or trend observed in areas controlled by other

conflicting parties. For instance, in Abyan Governorate, the Office of Social Affairs and Labor imposes additional procedures and measures on NGOs licensed outside the governorate or operating at the national level but lacking a presence within the governorate. These measures include signing a “memorandum of understanding” with the Office of Social Affairs in the governorate.⁷⁴ In Shabwa Governorate, organizations and associations with headquarters in northern governorates, as well as other organizations, face exceptional and exclusive restrictions, such as a requirement for the majority of their employees to be from the governorate.⁷⁵ It is worth noting that these irregular practices are not observed in other governorates of the internationally recognized government, such as Marib, Taiz, and Hadramout.

Theme 2: Root Causes of Repression Against Civil Society Space

Civil society organizations, in their assessment of the repressive measures they have experienced during the armed conflict, hold multiple perspectives that mirror the unique experiences of each organization with such measures. While these causes vary among civil society organizations, some of them overlap and are challenging to separate, except for the purpose of explanation and clarification.

Table (2) Causes of Repression Against Civil Society Space

Root Causes of Repression Against Civil Society Organizations	%
Political Causes	32%
Administrative Causes	22%
Activism-Related Causes	19%
General Causes	17%
Unclear Causes	10%
Total	100%

1 Political Causes

Out of the civil society organization representatives interviewed for the study, 32.0% confirmed that the obstacles, arbitrary measures, and extrajudicial violations imposed by the

⁷⁴ An interview conducted with an official at the Office of Social Affairs and Labor in Abyan Governorate on 7/8/2022.

⁷⁵ An interview conducted with an official at the Social Affairs and Labor Office in Shabwa Governorate on 26/7/2022.

warring parties on their organizations are primarily driven by political factors. These causes often involve a process of political categorization, where various organizations, trade unions, associations, and federations engaged in civil activities are sorted based on criteria related to their political affiliations or level of independence.

The political categorization process of local civil society actors encompasses all areas of civil, humanitarian, and relief work without exception. This approach intersects with overlapping partisan and regional policies, where factors such as the name of an organization or association, its location, or the political views of some of its staff can result in imposing unlimited restrictions, obstacles, or subjecting it to extrajudicial harm and violence.

Likewise, unions and federations with widespread memberships encounter restrictions due to the concerns of warring parties regarding their mobilization capabilities and the potential political impact of using these capabilities to advocate for demands that do not align with the priorities of the conflicting parties. Organizations that have branches in different regions of the country are often subjected to mutual accusations of affiliating with an “opposing party” and are frequently viewed with political suspicion.

In areas where control is divided among multiple warring parties, relief and humanitarian organizations encounter significant restrictions on their movement between these areas. These restrictions are not solely based on security concerns but also stem from each party's desire to assert its authority and enforce compliance. This is particularly evident as humanitarian and relief operations that traverse the internal conflict zones are seen as challenging the notion of established areas of influence that the conflicting parties seek to define and solidify as a reality.

There is an additional set of repressive measures with political motivations carried out by certain parties involved in the conflict. These parties aim to control civic activism by establishing an extensive and intricate network of loyal civil institutions. These institutions are granted exclusive privileges while simultaneously imposing stricter restrictions on and committing violations against genuine civil society organizations, pushing them to the margins. The objective behind these multiplying restrictions and violations is to bring about far-reaching changes that will reshape the entire civil society landscape. This may involve placing individuals closely affiliated with the conflicting parties within civil society organizations to undermine their autonomy and exert control over their core agendas. Alternatively, it may involve co-opting organizations and politically exploiting certain aspects of their civic activities and roles.

2 Administrative Causes

According to the survey, 22% of the local organizations included in the study reported that administrative structures and practices have played a significant role in obstructing civic space during the conflict. This is primarily attributed to the disintegration of state institutions, the absence of the rule of law, and a lack of accountability. Consequently, the official administrative structures responsible for regulating civil society affairs no longer ensure the enforcement of the provisions of the law that partially existed prior to the conflict. Moreover, these structures do not perform their functions related to respecting the autonomy of civil society and facilitating its access to the rights and benefits outlined in the law.

In contrast, these structures manifest as a primary source of arbitrary restrictions and measures that impede the space of civil society due to several factors. These include the existence of multiple levels, conflicts of interest, ambiguity in roles and responsibilities, limited stability, ineffective systems, and pervasive corruption across various administrative bodies.

Civil society organizations are faced with the challenge of navigating a multitude of administrative bodies and coping with a constant flow of contradictory instructions, demands, and immediate conditions that are often used as pretexts to hinder civic activities. Changes and personnel movements within administrative bodies have various impacts on civil society. For example, new managers usually tend to revoke permits previously granted to the organizations and request new ones, or apply their personal attitudes to ongoing projects. Additionally, security authorities exert significant influence over the government bureaucracy responsible for overseeing local organizations, as the warring parties perceive the civil society sector as primarily a security matter. This dynamic compels the government bureaucracy to strictly adhere to bureaucratic procedures and impose more restrictive measures, aligning with the security perspective and aiming to avoid potential consequences.

Given the legal framework of official administrative structures, the administrative and procedural restrictions and measures imposed by these structures, sometimes, have unintended consequences. The most serious of these consequences is the use of administrative procedures and measures by the warring parties to commit violent violations against civil society space under the pretext of law enforcement.

Similarly, the highly centralized alternative or parallel structures established by the conflicting parties exhibit a deeply negative and hostile attitude towards civic activism. This is manifested through the implementation of complex administrative and procedural hurdles

and the imposition of severe and arbitrary control measures, including indirect influence over the legitimate offices responsible for civil society affairs. Many of these unauthorized structures operate without proper regulations, relying instead on ad hoc decision-making, unpredictable actions, and personal biases.

The widespread corruption within official administrative structures responsible for civil society affairs, particularly in the context of salary interruptions and frozen operational budgets, results in deliberately complex procedures aimed at financial extortion and bribery. Additionally, organizations engaged in relief or humanitarian aid may be coerced into including relatives of certain officials in the beneficiary lists or relocating the designated distribution points. Despite the attention given by some parties to the conflict to their unofficial structures, according to a number of respondents, these entities have become breeding grounds for corruption, extortion, and the imposition of financial burdens, under different names and pretexts, on civil society.

In certain instances, corruption, whether within official or unofficial structures, manifests as personal exchanges where some officials receive money in exchange for project approvals. In other cases, however, project approval is tied to a broader exchange that serves the direct interests of the administrative body, such as incorporating some of their employees into the project's execution. Identical testimonies from multiple organizations in different conflict areas also indicate a direct correlation between the interests of the administrative body and the granting of implementation permits for projects, creating a reciprocal relationship.

3 Activism-Related Causes

Based on the survey, 19.0% of the respondents, mainly representatives of human rights-focused non-governmental organizations, view that the restrictions and violations imposed on their organizations are directly linked to their area of activism. According to their perspective, human rights activities, particularly those involving monitoring and documenting violations, reporting human rights abuses, as well as accountability and governance initiatives, elicit heightened sensitivity from the conflicting parties compared to other areas of activism. These parties view such activities as attempts to build records for future prosecution and influence external public opinion and international actors against them.

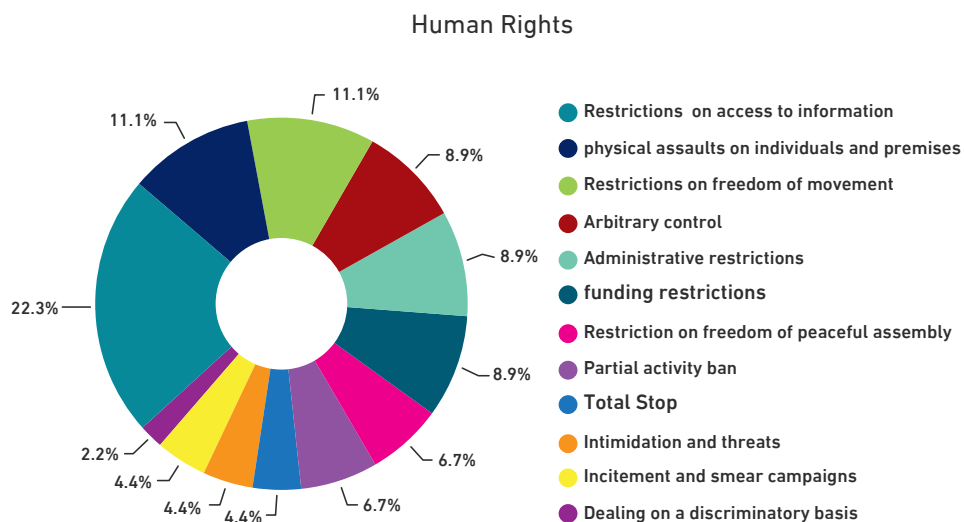
Indeed, this view is not uncommon. It is backed by sound theoretical arguments and a wealth of information concerning the practices of restricting civil society space in both regular and semi-regular contexts, including the pre-conflict context in Yemen (see the Theoretical

Framework of this study). However, it is crucial to assess the validity and consistency of this perspective within the context of a multilateral armed conflict, as the difference in context can yield significant insights and observations.

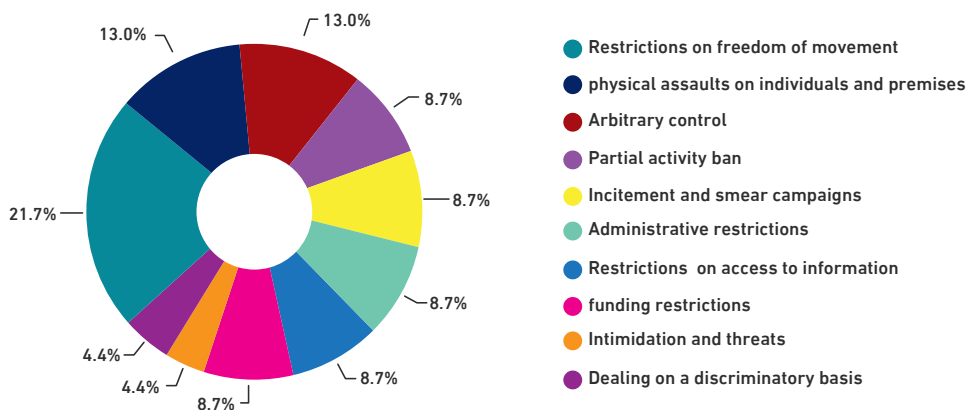
Initially, the data gathered in the study only partially and to a limited degree supported this view, particularly when comparing human rights organizations with other organizations regarding certain repressive restrictions and measures, but not across all aspects. For instance, human rights organizations exhibit a higher incidence of exposure to repressive restrictions and measures compared to other organizations, specifically concerning restrictions on accessing information and facts, as well as restrictions on the right to peaceful assembly. Conversely, when it comes to arbitrary control and restrictions on freedom of movement, human rights organizations are significantly less affected than their counterparts in other fields of activism (see Figure 5).

Furthermore, various repressive measures, including physical assaults on individuals and premises, funding restrictions, incitement, and smear campaigns, are imposed in a manner that does not allow for the identification of a comprehensive and consistent pattern linking them to the field of human rights activism or any other field of activism.

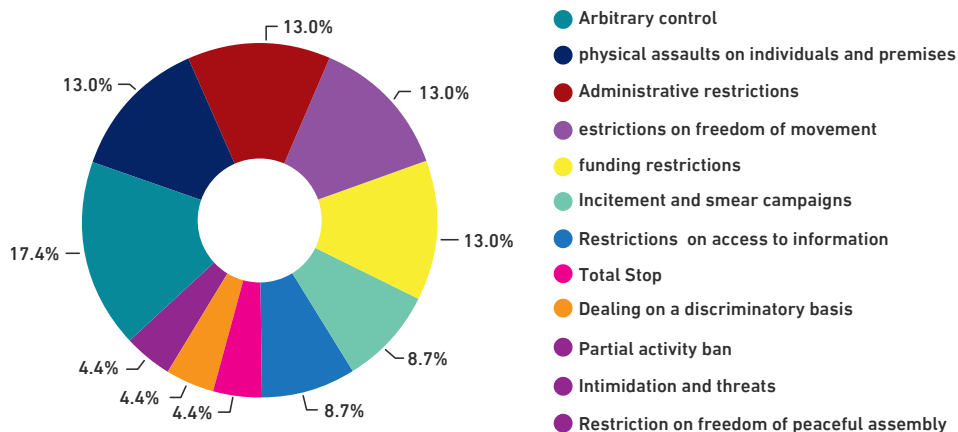
Figure (5) Comparing Repressive Restrictions and Measures Across Major Fields of Activism in the Sample



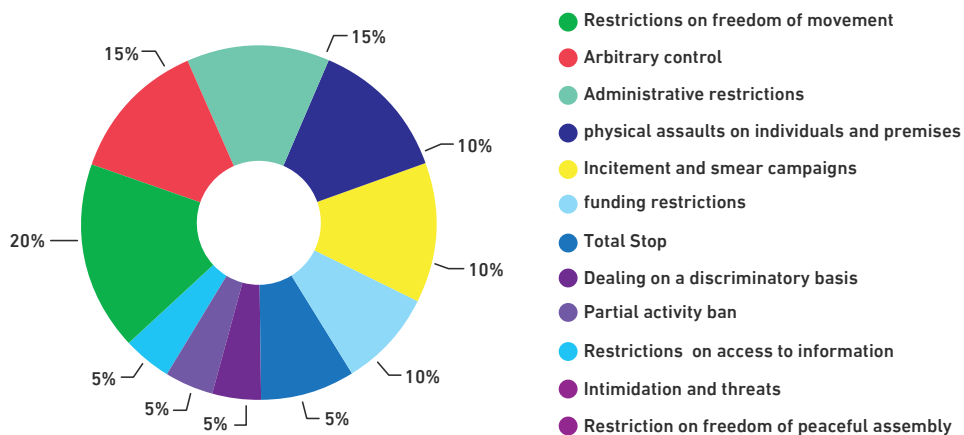
Partial activity ban

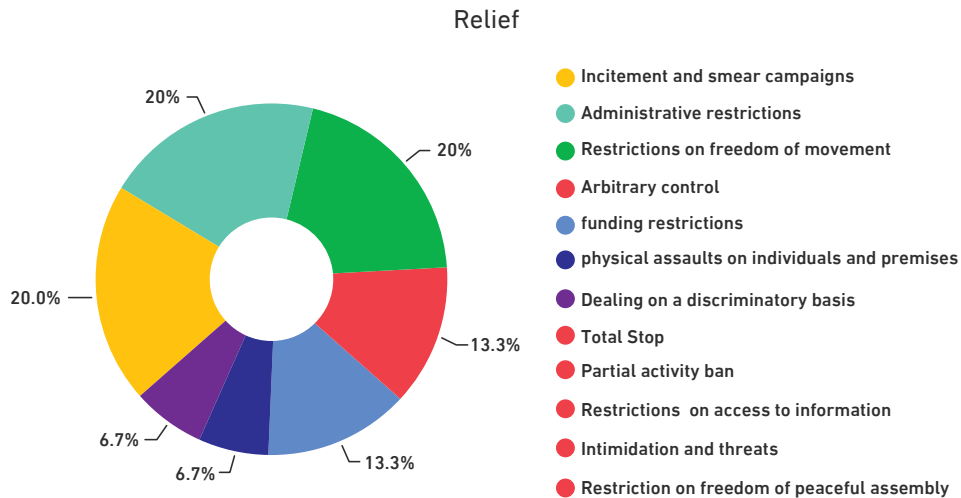


Women rights & Empowerment



Youth Development





The weak connection between human rights activism and repressive measures in the Yemeni conflict can be attributed to three main factors. Firstly, the warring parties adopt a comprehensive approach in their restrictive and repressive actions towards civil society, fueled by unfounded suspicion towards any form of independent activism regardless of its field or purpose.

Secondly, the overlap and complexity of civil society activities during the conflict make it challenging to establish clear boundaries. As human rights violations increase and affect various social groups, trade unions, federations, and associations have expanded their activities to include advocacy, documentation, and monitoring of violations against their members or specific vulnerable groups such as journalists, children, women, people with disabilities, and internally displaced persons. It is unclear whether these civil society entities face repressive measures due to their engagement in human rights activities or because of their original activities.

The third factor relates to the decline in political activities of various kinds. This decline is a natural consequence of the shrinking political space and the disruption of established political structures during the conflict. Activities such as monitoring governance, holding authorities accountable, and combating government corruption are closely tied to the presence of elected governments and stable institutions. In times of conflict, these activities do not generate the same level of sensitivity as in regular or semi-regular contexts simply because they are largely non-existent.

In general, establishing a strong and consistent empirical link between human rights work and the level of restrictions imposed by warring parties on civil society space in Yemen's armed conflict is challenging. It is not accurate to claim that the parties systematically

exercise less aggressive policies towards non-human rights or political civil activities. The difference lies in the motives behind the repression rather than a fundamental variation in the degree and intensity of repression based on different areas of activism. However, it can be observed that the restrictions targeting organizations involved in human rights work are more transformative in nature. These restrictions aim to pressure such organizations to cease their human rights activities, particularly monitoring efforts, or to significantly alter their original human rights agendas. As a result of these repressive measures, some human rights organizations have scaled back or abandoned a significant portion of their monitoring activities. It is important to note that alongside this finding, other complex factors have contributed to the decline in human rights and political activities. For instance, there has been a decrease in foreign funding allocated to human rights activities compared to relief and humanitarian endeavors.

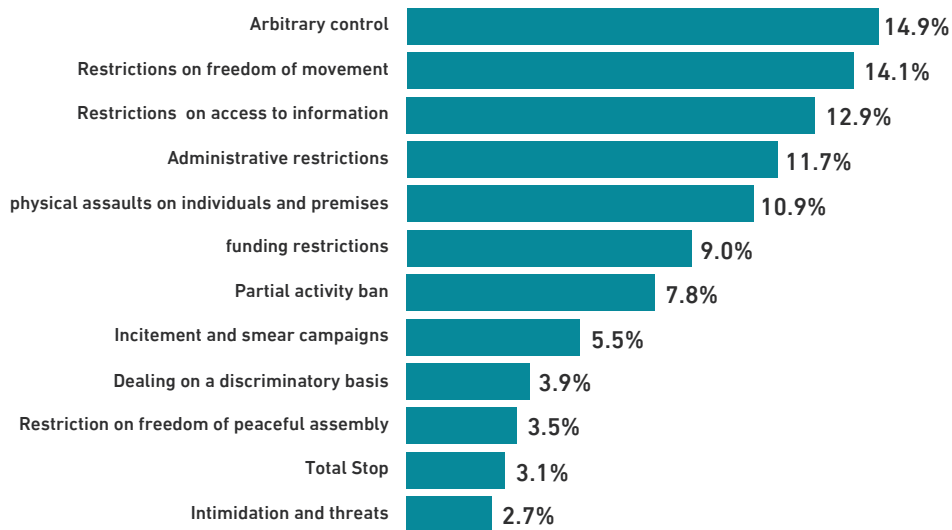
4 General and Unclear Causes

These causes of repression are linked to broader contextual conditions that indirectly impose numerous restrictions and obstacles on civil society. Examples of such restrictions include restrictions on movement due to military clashes and roadblocks, deteriorating security conditions, the presence of armed and illegal groups that target local organizations, displacement of local organization staff to avoid military confrontations and airstrikes, imposition of long-term curfews in certain conflict areas that forced organizations to suspend their activities, and the breakdown of public service infrastructure across the country, including electricity and internet services. Furthermore, a limited number of respondent organizations stated that there were no clear and direct reasons for the repressive measures and practices imposed on them, despite their full compliance with the procedures and instructions issued by the relevant authorities.

Theme 3: Patterns of Restrictions and Violations Against Civil Society Space

This theme focuses on the patterns of restrictions, arbitrary practices, and violations targeting civil society organizations represented in the study sample, based on the field information gathered during the study. It aims to shed light on the reality of repression and the mechanisms used to suppress civic space, human rights defenders, and international organizations operating in Yemen. The theme includes several vivid examples that are not isolated incidents but rather recurring patterns of systematic repressive practices.

Figure (6) Types of Arbitrary and Repressive Restrictions and Practices



Based on the study sample, arbitrary control emerges as the primary form of repressive measures faced by the civil society space during the conflict. The inability of the conflict parties to completely eradicate genuine civil society leads them to resort to harsh and continuous patterns of arbitrary control, aiming to restrict and gradually eliminate it. Following arbitrary control, restrictions on freedom of movement are prevalent, as all parties implement strict security measures, road blockages, and closures of crossings that hinder the freedom of movement for Yemeni citizens across the country. Other restrictions include limitations on freedom of expression, access to information and facts, as well as administrative restrictions.

To facilitate the analysis of repressive measures and comprehend their dynamics and associated practices, they will be categorized into five main groups as follows:⁷⁶ (1) administrative and procedural restrictions and measures, (2) arbitrary measures, (3) extrajudicial violations and reprisals, (4) repressive measures targeting human rights defenders, and (5) arbitrary and repressive restrictions and practices against civil society supporters and partners.

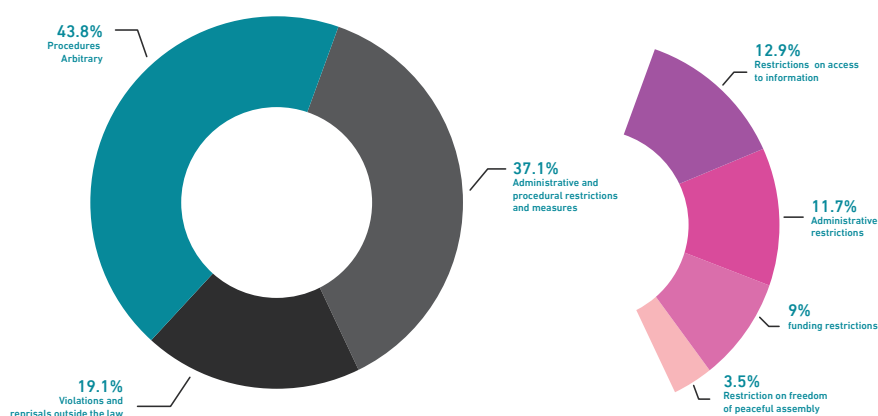
⁷⁶ When selecting the examples cited in the following paragraphs, their clear demonstration of repressive practices against the civil society space was taken into account. It is important to note that providing examples from areas controlled by one party to the conflict does not imply the absence of similar practices in areas controlled by other parties, unless explicitly stated otherwise.

First: Legal Restrictions and Measures

Legal restrictions and measures encompass all the restrictive measures and procedures that are either explicitly stated in the law or practiced by the entities responsible for civil society, in accordance with the law. These legal provisions may either directly limit the autonomy of civil society or contain loopholes that can be exploited during their practical implementation. However, in the context of conflict, many of the measures that hinder civic space originate from illegal administrative structures or are based on instructions and circumstantial procedures that contradict the law. Therefore, only a few of these measures can be considered as legitimate legal restrictions.

However, legal restrictions and measures account for 32.2% of the total repressive measures targeting civil society space. These legal restrictions can be categorized into four main types: (1) administrative restrictions, (2) funding restrictions, (3) restrictions on freedom of peaceful assembly, and (4) restrictions on freedom of expression and access to information.

Figure (7) Types of Administrative and Procedural Restrictions and Measures



1 Administrative Restrictions

Civil society organizations faced administrative restrictions, accounting for 11.7% of the total legal restrictions and measures. These restrictions primarily included the requirement for re-registration of organizations that already had valid licenses, as well as the centralization of registration procedures. Furthermore, restrictions were imposed on opening branches for certain organizations, and there were procedures to approve applications for incorporation and the formation of new organizations.

One organization that emerged during the conflict in Taiz Governorate, which is controlled by the internationally recognized government, faced significant challenges in obtaining a legal license. They reported, “During the establishment of our organization, we faced difficulties in obtaining the license due to corruption within the Office of Social Affairs and Labor. They demanded large sums of money that were not required by law [...]. Eventually, we were compelled to pay those amounts of money in order to obtain the license.”

According to many local organizations participating in the study, obtaining and renewing work permits is one of the most onerous legal restrictions. Regardless of the size, type, and scope of the activity, the implementation of any project legally requires obtaining work permits from multiple administrative bodies. This process demands continuous effort, daily follow-up, and significant financial expenses due to the multitude of permit-issuing authorities. In areas controlled by Ansar Allah (Houthis), executing a project, conducting field visits, or conducting a needs assessment for internally displaced persons (IDPs) necessitates obtaining three work permits from the Supreme Council (SCMCHA), the Ministry of Social Affairs and Labor, and the Ministry of Planning and Development. In areas under the control of the internationally recognized government, organizations are mandated to acquire work permits from the Social and Labor Affairs department and the MoPIC office before commencing activities. If the activity falls within the cultural domain, an additional work permit from the Ministry of Culture is required. A representative from an organization based in government-controlled areas expressed, “...In the past, implementation only required signing an agreement with the donor, but now we are obliged to acquire a series of permits before commencing implementation.”

Obtaining work permits from multiple entities entails a complex process that is susceptible to delays, bureaucratic obstacles, personal extortion attempts, and the potential for denial or conditional approval requiring adjustments to the project plan, implementation location, or target group. These challenges often impede or postpone project implementation, leading to various financial, administrative, and technical consequences. Such consequences may include increased costs, particularly in situations of currency depreciation, price volatility, banking instability, or extended implementation periods. It may also result in the need to cancel monitoring and evaluation activities due to funding depletion, difficulties in conducting evaluations and impact assessments, and loss of donor trust. Additionally, a group of local organizations noted that donors no longer actively intervene to facilitate project approval negotiations or exert pressure on relevant authorities, as they did in the past. Many donors are largely unaware of the cumbersome bureaucratic complexities faced by local organizations.

Carrying out an authorized activity is impossible without obtaining a permit from the relevant security authorities, which entails additional waiting time for the outcomes of non-standard security investigations. However, even with a security permit in hand, there is no guarantee of unhindered implementation. The process remains subject to vague and unexpected security considerations. An NGO operating in the development and humanitarian field, situated in areas controlled by the Joint Forces, shared its experience of being unable to enter targeted areas despite having a security permit. The organization's work team was halted at a security checkpoint operated by the Joint Forces, citing "security changes and procedures" that had taken place between the issuance of the security permit and the team's attempt to initiate the activity.

2 Funding Restrictions

Complex procedures have impeded direct access of local organizations to external donors in areas controlled by Ansar Allah (Houthis). Only the Supreme Council (SCMCHA) requires that requests for external funding for projects pass through it, so the Council is responsible for submitting the names of organizations nominated for external funding. This process, according to respondent organizations in areas controlled by Ansar Allah (Houthis), lacks governance, and is most likely in the interest of organizations loyal to Ansar Allah (Houthis).

In areas controlled by Ansar Allah (Houthis), local organizations encountered complex procedures that hindered their direct access to external donors. Specifically, the Supreme Council (SCMCHA) imposed a requirement that requests for external project funding must go through it, exclusively, for it to nominate organizations for such funding. According to organizations operating in areas controlled by Ansar Allah (Houthis), this process lacks transparency and appears to favor organizations loyal to Ansar Allah (Houthis).

Moreover, the SCMCHA (State Committee for the Management of Humanitarian Affairs) also demands the signing of a "sub-agreement" with the local organization receiving external funding prior to commencing the project. One respondent explained, "Once we receive the grant from the donor, we are required to submit the project proposal and its details to the SCMCHA for approval. They then enter into a sub-agreement with us, enabling us to proceed with fieldwork and implementation. Without these sub-agreements, we are unable to carry out activities on the ground. However, obtaining SCMCHA's approval for the sub-agreement alone takes a considerable amount of time, usually three to four months. This timeframe eats into the project implementation period, making it extremely challenging to complete all activities before the project's end. Additionally, due to these time restrictions, conducting any post-project evaluation to assess its impact becomes nearly impossible."

3 Restrictions on Freedom of Peaceful Assembly

Freedom of peaceful assembly in light of the conflict is subject to severe restrictions, and this is evident in the procedures aimed at preventing the mothers of abductees from participating in vigils to demand the release of the abducted or forcibly disappeared, as well as in the restriction of the freedom of demonstration to express human rights and societal demands, or to protest some of the violations committed by the parties to the conflict against individuals or groups of the population. One of the trade unions in the areas controlled by Ansar Allah (Houthis) stated that it had been organizing protest vigils rejecting the violations of the rights of its employees at the beginning of the conflict. However, its ability to continue protesting completely disappeared after a short period of time due to the tightening of repressive measures and the imposition of a force majeure security situation. Restrictions on freedom of peaceful assembly also include a ban on organizing mass events, applying exceptional security measures such as a general curfew, and imposing restrictions that impede expanded administrative and trade union meetings and gatherings.

4 Restrictions on Freedom of Expression and Access to Information and Facts

Access to information and facts is severely constrained for all civil society actors, regardless of their areas of activism. Human rights organizations, for instance, face varying degrees of restrictions imposed by the conflicting parties when it comes to obtaining information about victims of violations. They are often prevented from visiting prisons, detention centers, hospitals, and sites where these violations have taken place. Moreover, they encounter significant challenges in accessing official information such as statistics, data, and documents pertaining to surveys, reports, as well as social, economic, and educational research conducted by local organizations. Similarly, humanitarian and relief organizations encounter difficulties in accessing information regarding beneficiaries, as they are often prohibited from conducting independent and impartial field surveys.

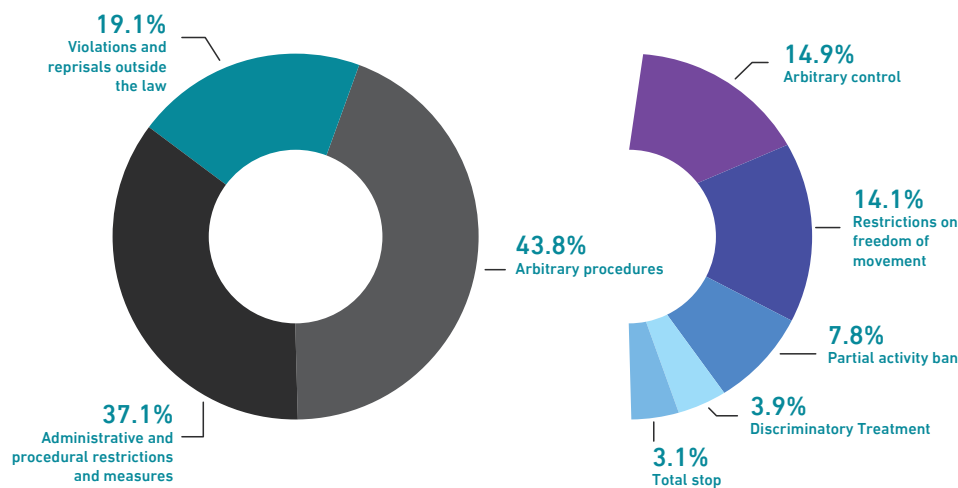
This form of restriction specifically targets freedom of expression in all its manifestations, including issuing statements for various purposes, publishing news about activities, organizing advocacy initiatives, engaging in electronic publishing, and releasing newspapers, human rights reports, and monitoring publications. A local organization operating in areas controlled by Ansar Allah (Houthis) shared that posting on its social media platforms frequently exposes it to a series of harassments. In the regions under the control of the

Transitional Council, a non-governmental organization reported that its websites were hacked, compelling it to halt publication. Additionally, due to inadequate security measures implemented on local servers, its external correspondence via email was suspended.

Second: Arbitrary Measures

Arbitrary measures refer to a collection of actions that are grounded in legal frameworks but are implemented in a capricious or exaggerated manner, often justified by exceptional circumstances. In the context of the armed conflict, the gap between these measures and the law widens, making it challenging to attribute them solely to arbitrary enforcement. These measures are often rooted in the prevailing factual situation and proliferate extensively beyond the confines of the law, even if their practitioners attempt to establish a direct organic connection between them and the law in order to justify their actions. Arbitrary measures encompass various forms of arbitrary control, restrictions on freedom of movement, partial bans, complete closures, and discriminatory treatment.

Figure (8) Types of Arbitrary Measures



1 Arbitrary Control

The conflicting parties employed various mechanisms to exert arbitrary control over civil society organizations and their activities. One such mechanism involved direct interference in the administrative affairs of organizations and associations, including the dismissal of employees and the appointment of replacements. For instance, an organization operating in development and humanitarian sectors in areas controlled by the internationally recognized

government reported repeated interference by authorities to obstruct the organization's implementation of internal recruitment procedures that adhere to recognized standards. Similarly, an association dedicated to providing health and humanitarian services to local population in areas controlled by Ansar Allah (Houthis) stated that the authorities imposed a chairperson on the association in violation of its internal regulations, and subsequently dismissed a significant number of its staff members.

Furthermore, certain parties to the conflict have implemented a policy of non-recognition towards certain elected trade union bodies. They imposed stringent surveillance measures on members of these administrative bodies, restricting their movement and hindering their effectiveness, with the aim of implementing desired changes. A representative from one of the federations operating in areas controlled by the Southern Transitional Council stated that the Council consistently endeavored to "recruit individuals affiliated with it and place them within the federation's staff members, with the intention of replacing the elected leadership with individuals loyal to the Council."

Regarding the recurring pattern of exercising arbitrary control over activities, it manifests through sudden revocations of work permits and the termination or suspension of activities shortly before or during their implementation, even when all necessary permits and procedures are in place. One organization operating in areas controlled by Ansar Allah (Houthis) described the situation, stating that "what is allowed today may be prohibited tomorrow without any explanation." Similarly, another organization shared, "In some projects, the authorities grant permission for implementation but halt the project midway." In a similar vein, a non-governmental organization operating in the field of peace and legal development in areas controlled by the internationally recognized government expressed dissatisfaction with the authorities' persistent attempts to impose their agenda on the organization's authorized community activities. Additionally, an organization dedicated to youth development reported that the local authority in areas controlled by the government revoked authorizations for the implementation of two dialogue events, claiming that the discussion topics were detrimental to relations with neighboring countries.

Continuous interference in determining beneficiary lists and selecting areas for humanitarian and relief interventions is a mechanism employed to exert arbitrary control and manipulate the flow of humanitarian aid. Two organizations operating in the field of development, humanitarian aid, and relief in areas controlled by Ansar Allah (Houthis) have disclosed that they have received predetermined lists of beneficiaries from the relevant authorities that do not adhere to the established targeting criteria, compromising

the principle of impartiality. Another organization stated, "They provide us with a list of beneficiaries and instruct us to verify their eligibility. However, when we express our intention to gather information about them, they refuse and impose specific beneficiary lists prepared by themselves. To make matters worse, they instruct us to assess only 50% of the beneficiaries."

Arbitrary control over the implementation of civil activities manifests through the requirement for organizations and associations to provide detailed information about their activities in advance and accept representatives from the conflicting parties to attend and monitor these activities. Additionally, secret security personnel may infiltrate events organized by civil society. The official presence of representatives from the authorities often imposes significant restrictions on the freedom to carry out activities and can lead to unplanned and non-agreed changes during implementation. Several organizations engaged in awareness-raising, training, and cultural activities, with the presence of representatives from the authorities, reported that the implementation deviated from the planned course. For instance, a local organization focused on youth development in areas controlled by the Southern Transitional Council mentioned that fierce debates often disrupt the implementation of its activities, causing confusion or diversion due to the interference of oversight authorities and their attempts to impose their political terminology and expressions on the activities. This includes replacing the official name of the country, the Republic of Yemen, with the term "South Yemen" on the banners of certain events and activities.

In many instances, the authorities of the conflicting parties impose preconditions to exert control over the implementation of activities by civil society organizations. However, complying with these conditions does not guarantee smooth and harassment-free execution of the activities. For example, the authorities of Ansar Allah (Houthis) require art and culture organizations to enforce strict gender segregation and prohibit placing advertisements for artistic activities in public spaces. Despite adhering to these measures, one organization reported constant harassment and unexpected additional instructions that had to be immediately followed. Similarly, an artistic youth initiative in areas controlled by the internationally recognized government stated that its dance troupe members were arrested, had their heads shaved, and were forced to sign pledges renouncing their profession as dancers.

2 Restrictions on Freedom of Movement

Civil society organizations face multiple restrictions on their freedom of movement due to general restrictions imposed by parties to the conflict on movement, both between and within governorates, and sometimes even within the same district. While these restrictions affect the general population throughout the country, parties to the conflict tend to tighten them specifically for civil society organizations or activists. Civil society organizations operating in besieged governorates or areas face even greater restrictions on mobility and movement. The city of Taiz, which has been besieged by the Ansar Allah group (Houthis) since the outbreak of the conflict, is particularly affected.

Exercising the right to movement in a conflict environment with multiple warring parties, armed factions, and groups with unknown identities at all local levels is a risky venture. Even with extreme caution and obtaining necessary permits, passing through dozens of military and security points and checkpoints on secondary roads can result in arbitrary detention, humiliating treatment, or the imposition of financial fees for passage of work teams or their members. Security checks and verification of transit permits and individuals' identities impede access to targeted areas. One relief organization operating in areas controlled by the Joint Forces reported that movement restrictions had hindered their ability to reach conflict-affected areas under the control of those forces, and prevented displaced persons in one camp from obtaining shelter materials. Furthermore, regular movement from one place to another in an insecure environment exposes work teams to the risk of banditry and looting of aid and vehicles. Dozens of organizations in various conflict areas have already reported such incidents.

With regard to the restrictions on external travel, two human rights and peacebuilding organizations operating in areas controlled by Ansar Allah (Houthis) reported that they were subjected to such restrictions, which were accompanied by passport confiscation or temporary arbitrary detention.

3 Discriminatory Treatment

Discriminatory treatment on political or regional grounds is linked to a number of selective practices, such as granting administrative and financial facilities to some organizations over others. This exacerbates discriminatory practices during the conflict, with each party to the conflict favoring organizations loyal to them. One NGO explained, "All parties, including the government, have created their own civil society organizations and provide them with actual

facilities.” Discrimination can even reach the point of sorting personnel within the same organization by region. A non-governmental organization operating in areas controlled by the Southern Transitional Council reported that authorities “impose restrictions on people from northern regions who are part of our work team, and sometimes prevent them from entering Aden.”

4 Partial Ban

The partial ban on civil society organizations consists of preventing them from engaging in legitimate activities or refusing to implement some of their projects under the pretext that they are not needed by the community. A non-government organization operating in areas controlled by Ansar Allah (Houthis) reported that relevant authorities refused to grant them work permits in the field of peacebuilding and local conflict resolution, despite it being one of their main areas of work prior to the war. The partial ban sometimes includes the closure of branch offices of several organizations to cripple their ability to expand and operate, and the prevention of some organizations from operating in areas controlled by another party to the conflict.

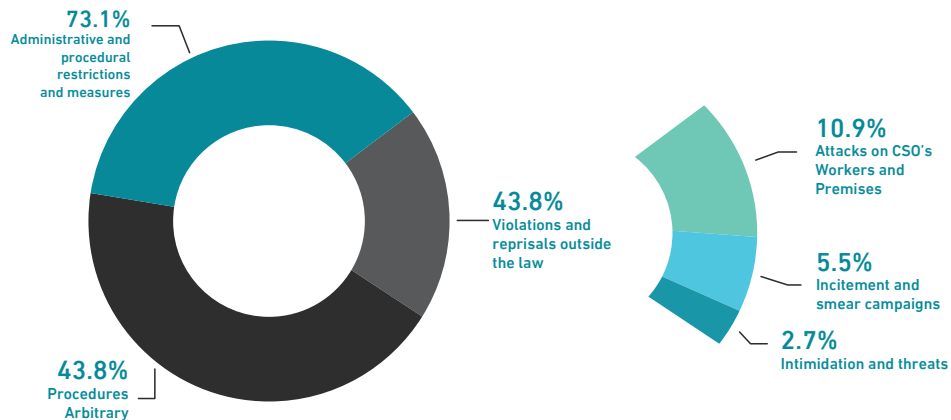
5 Total Closure

Most of the study cases involving the total closure of a civil organization's headquarters and a complete ban on their operations, a total of eight cases, are concentrated in areas controlled by Ansar Allah (Houthis). It should be noted that in one case, the total closure resulted from the relevant authorities' refusal to renew the license documents of one of the organizations. In other cases, it was a forced decision taken by the organizations after being subjected to a series of serious and high-risk violations.

Third: Extrajudicial Violations and Reprisals

Extrajudicial violations and reprisals refer to all illegal acts, including attacks on civil society organizations' workers or premises, intimidation, and threats, as well as incitement and smear campaigns.

Figure (9) Types of Extrajudicial Violations and Reprisals



1 Attacks on Civil Society Organizations' Workers and Premises

Attacks on workers, members of administrative bodies, researchers, activists, and field teams of civil society organizations can take various forms, such as arbitrary arrest, detention, or summons, enforced disappearances, security prosecutions, intimidation by firing shots in the air, and physical assault. The attacks on civil society premises can involve stealing assets from the headquarters of civil organizations, associations, unions, and federations, looting their documents and material supplies, seizing their premises, armed incursion into their buildings and tampering with their contents, hacking their electronic records and data, or targeting them for total or partial destruction.

A human rights NGO has reported approximately 50 incidents of violations, including enforced disappearance, detention, summons, arbitrary arrest, harassment, and physical and armed assault, since the outbreak of the conflict. These violations have targeted the NGO's field teams, including researchers, lawyers, and administrative and technical staff, in various locations such as Sana'a Governorate controlled by Ansar Allah, Taiz Governorate (the city of Taiz is controlled by the internationally recognized government and Hawban area is controlled by Ansar Allah), as well as the governorates of Hadramawt, Marib, Hodeidah, Dhamar, Hajjah, Amran, Ibb, Bayda, Aden, Mahwit, Abyan, Dhamar, and Jawf.

Another organization in a government-controlled area reported that their building was bombed by the Houthis at the beginning of the war. As a result, they had to flee the building to save their lives. After a short period of time, resistance groups stole the organization's equipment and furniture that had been left behind in the building. In Ansar Allah-controlled areas, one union reported that its leaders were being chased by security, which forced some of them to leave the country. Moreover, an organization operating in the field of youth capacity development in government-controlled areas reported that their field team was arrested by the special forces (regular forces) while carrying out field surveys to count the number of displaced persons. The team was then held in a secret prison. While being blindfolded, the team members were forced to put their fingerprints on papers containing statements taken from them under torture.

In one of the areas controlled by the Southern Transitional Council (STC), an association working in the field of welfare and rehabilitation for people with disabilities reported that the fence surrounding their building was subjected to an attempted demolition. The pretext for this was that the land belonged to an influential person. Additionally, two organizations operating in the fields of journalism and youth development within Ansar Allah's geographical area of control reported that their headquarters were confiscated by Ansar Allah (Houthis). This forced the organizations to temporarily suspend their activities for a long period and eventually move their activities to other areas. In the STC-controlled areas, a relief organization reported that gunmen attacked its headquarters and seized food baskets that were intended for displaced people. In the same areas, another aid organization was repeatedly attacked by gunmen who broke into aid distribution sites.

In situations where parties to the conflict were not directly responsible for violations, the relevant authorities failed to provide adequate protection for civil society spaces when incidents were reported. An organization operating in government-controlled areas reported that they were robbed and repeatedly raided by gunmen, but the security authorities did not respond to their requests for protection. As a result, the organization had to install surveillance cameras with a wide visual range to alert them of any potential raids. Similarly, another organization operating in an area with weak security measures within government-controlled areas reported that their requests for support to guard their headquarters were rejected by the authorities.

2 Intimidation and Threats

Civil society organizations and their employees are subjected to a range of threats and acts of intimidation, which can escalate to the point of threats of bombings, physical harm, abductions, or retaliatory actions. Consequences of such intimidation and threats include the departure of some staff members from their positions or reluctance among volunteers and the general public to participate in the activities of the threatened organization. Certain organizations operate under semi-constant threats, while others experience an escalation of threats and intimidation in specific situations, such as after the issuance of human rights statements or reports.

3 Incitement and Smear Campaigns

Inciting rhetoric against civic activism often employs accusations of treason, collaboration, and espionage on behalf of other parties or foreign agencies. These unfounded allegations aim to discredit civil society organizations, minimizing the impact of their condemnations and monitoring of human rights violations. In areas controlled by the Southern Transitional Council (STC), a human rights organization shared their experience, stating, "We have been falsely accused of being agents of external agencies or collaborators with the Houthis group, with the sole purpose of undermining our credibility. These accusations are made to silence our voice and diminish the influence of our condemnations and monitoring efforts." Similarly, in areas controlled by Ansar Allah (Houthis), another organization revealed that it has faced baseless charges of espionage in favor of the so-called "aggression," a term used by Ansar Allah to describe the military intervention led by the Kingdom of Saudi Arabia. As a result, this organization was subjected to intrusive raids and searches.

Civil society organizations involved in relief and humanitarian aid operations have been targeted by coordinated smear campaigns aimed at damaging their financial reputation. These campaigns often include false accusations of aid manipulation and biased distribution practices. For example, an organization operating in areas controlled by the Southern Transitional Council (STC) highlighted the nature of this incitement, stating, "The incitement sometimes originates from preachers and mosques, and at other times from the local authorities. They portray our organization as being loyal to the Islah party, which is associated with the Muslim Brotherhood in Yemen. They falsely claim that our services are exclusive to certain individuals while excluding others. Additionally, they spread baseless allegations that our projects are solely directed towards the 'Dahabish' [a discriminatory term used by some residents of Aden to discriminate against citizens of northern origin following the civil war in 1994]."

In certain rural areas, having a woman leading a local organization can become a basis for defaming the organization. Moreover, when rural NGOs hire female staff members, they often face accusations led by preachers and imams of mosques. These accusations claim that these organizations aim to disrupt the family system, promote moral corruption, encourage gender mixing, and violate public morals.

Fourth: Repressive Measures Against Human Rights Defenders

Human rights defenders, including journalists, who were interviewed, have been subjected to a range of repressive measures. These measures include threats, abductions, physical assaults, restrictions on freedom of expression, smear campaigns on social media, and limitations on their movement. Additionally, these human rights defenders have faced political and partisan categorization, which often stems from their commitment to neutrality—a concept that is challenging for the conflicting parties and authorities to comprehend. Some human rights defenders are categorized based on their association with other activists deemed partisan, or because they address corruption cases involving individuals or entities associated with the conflicting parties. In certain instances, political categorization goes so far as to falsely accuse activists of belonging to extremist groups. Restrictions on freedom of expression include preventing activists from accessing information, publishing and expressing their opinions, and even closing or hacking their personal social media accounts.

Fifth: Restrictions and Difficulties Faced by Local Civil Society Supporters and Partners

Local civil society supporters and partners of international NGOs and organizations face significant obstacles and restrictions on their work and freedom of movement. One prominent challenge they encounter is the complex process of obtaining endorsements and permits from various stakeholders. These restrictions arise due to a combination of factors, including bureaucratic hurdles, multiple governing authorities, and high security risks. The activities of international organizations and bodies, most of which withdrew from Yemen at the beginning of the conflict, are marked by limited mobility and restricted physical access to all governorates. Unlike local organizations that may operate in a conflict environment with inherent security risks, international entities face additional obstacles and cannot easily separate themselves from these risks. Security concerns pose a fundamental barrier for international organizations and bodies. In such circumstances, international organizations and bodies adhere to strict standards. They often rely on working through local partners

or shifting their focus to relatively safer areas or countries when necessary. For instance, a UN agency responsible for observing and assessing the human rights situation in Yemen emphasized, “As a UN agency, we cannot compel anyone, including our staff and observers, to travel to hazardous locations. We must assess the security situation beforehand, and if it proves impossible, we resort to conducting certain activities remotely, which significantly limits our engagement.”⁷⁷

There are further challenges arising from the authorities' inclination to exclude local civil society from preferred operational partnerships with donors. An international organization, which offers technical and financial assistance, expressed its intention to foster collaboration and strengthen partnerships between the authorities and local civil society. However, this objective encountered a trust deficit between the two parties. The organization emphasized, “We want authorities and civil society to work together as integrated actors rather than operating in isolation from each other.”⁷⁸

Theme 4: Protection Mechanisms and Civil Responses to Repression Measures Targeting Civic Space

As repressive restrictions and violations against civic space continue to escalate during the conflict, the role of law enforcement institutions responsible for protecting it steadily decline, and opportunities to access the justice system across the country diminish. To understand how civil society actors respond to these repressive measures, it is important to analyze their actions within this challenging context. It is crucial to examine civil society's perceptions of the mechanisms available for self-protection, as well as their confidence in the effectiveness of these mechanisms and their willingness to rely on them when resisting repression targeting their civic space. Unfortunately, the level of confidence appears to be alarmingly low, as will be demonstrated later. Additionally, it is essential to analyze the collective experiences of civil society with past repression in the civic sphere during the early years of the conflict and their responses to it. One organization reported that civil society organizations directly subjected to repressive restrictions and measures at the beginning of the conflict were suspended and eventually forced to close down. Another organization highlighted that previous encounters with authorities resulted in threats, beatings, or temporary arrests. However, the current scenario presents a much graver reality, as direct and cold-blooded killings have become the immediate outcome of confronting the conflicting parties and various armed groups.

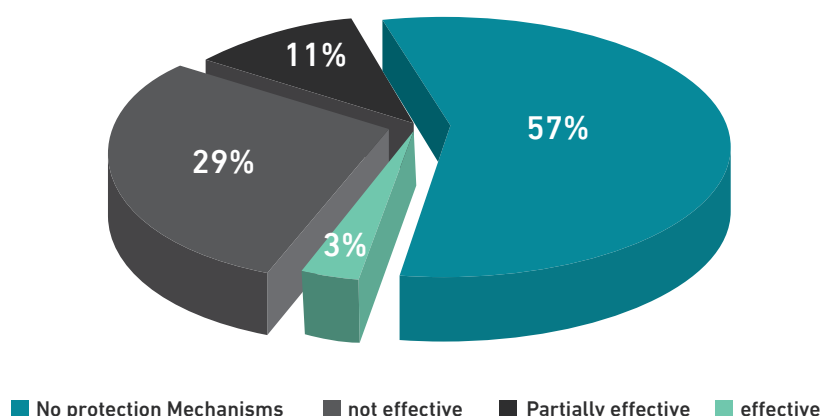
77 Outcomes of the focus group discussion on August 10, 2022.

78 Outcomes of the focus group discussion on August 10, 2022.

Operating in an authoritarian environment is undoubtedly different from operating in an environment of open armed conflict, which presents deadly and catastrophic possibilities. However, it should not be assumed that the warring parties always have the upper hand to impose restrictions and instinctively commit violations. There are controversial facts and overlapping social, political, and economic considerations that often compel these parties to exercise caution, adopt gradual tactics to assess potential reactions, and even step back when necessary, practicing a degree of leniency. Among these facts and considerations is the recognition by authorities of the need for a civil society base that can collaborate with international donors. This collaboration serves the purpose of addressing the minimum level of population needs that the authorities are unable to meet and acquiring significant external financial support. Additionally, the authorities have a vested interest in avoiding international condemnation and establishing a minimum level of trust with the international community.

First: Protection Mechanisms

Figure (10) Effectiveness of Protection Mechanisms



According to the study, 57.1% of the surveyed civil society organizations in Yemen reported the lack of sufficient mechanisms and measures to protect civil society from violations, restrictions, and arbitrary measures during the conflict. These mechanisms would ideally have the capacity to submit and track reports and complaints with domestic legal authorities, as well as with global human rights organizations and international bodies that specialize in addressing civil society issues. In contrast, 43% of the surveyed organizations acknowledged the existence of protection mechanisms and specific measures for filing complaints and reports within civil society in Yemen. These mechanisms encompass advocacy and civil solidarity campaigns, as well as legal avenues for protection, including the judiciary.

Additionally, several local organizations have implemented self-protection measures and case management, such as maintaining databases, training staff on addressing physical violations, and adhering to occupational protection and safety protocols during raids or armed incursions. Regarding the filing of complaints and reports, these organizations mentioned their ability to lodge complaints with relevant authorities or report violations to international human rights organizations and bodies.

However, out of the 43% of civil society organizations that reported the presence of protection and complaint mechanisms, 29% rated the protection mechanisms as “Ineffective,” while 11% found them “Partially Effective,” and 3% considered them “Effective.” For instance, only a limited number of organizations mentioned the judiciary as a potential legal protection mechanism. However, it is crucial to note that their reliance on this mechanism was primarily driven by local organizations’ efforts to defend specific cases involving their members, journalists, or unionists who have faced human rights violations. The intention was not to initiate a judicial process for the overall protection of civil society rights, such as challenging illegal restrictions or reclaiming forcibly seized headquarters of civil society organizations. This situation highlights two factors: first, the lack of trust in the judiciary and its apparatus among civil society and, second, the disruption of courts in various parts of the country for varying periods.

Regarding local civil advocacy, a few respondent organizations rated it as “Partially Effective,” especially when it comes to successfully utilizing social media for advocacy campaigns. However, other organizations expressed reservations regarding the effectiveness of this mechanism for civil protection. They raised concerns that active engagement in advocacy could potentially lead to adverse consequences for the organizations using it. These consequences may include heightened restrictions imposed on these organizations and a more uncompromising response from the relevant authorities when dealing with them. In relation to this, an organization operating in government-controlled areas, specifically in Shabwa, reported that it had to cancel planned advocacy activities due to the arrest of its survey team. Among the reasons that compelled the organization to cancel its planned advocacy activities were also its fear of politicization and the potential for reprisals, particularly since the authorities perceive collective civil action as crossing a red line and a direct violation of established rules. In any case, affected civil society organizations exhibit a preference for managing their affairs independently rather than seeking local civil advocacy, particularly from organizations affiliated with other parties involved in the conflict. This preference stems from the realization that engaging in advocacy that goes beyond established lines of influence can become prohibitively costly.

Another factor that contributed to the weakening of advocacy as a mechanism for civil society protection is the preoccupation of each organization with safeguarding its own existence. This concern was affirmed by a significant number of surveyed organizations, while some expressed criticism towards certain civil society organizations for their negativity, selfishness, and failure to fulfil their role in advocacy campaigns. Regarding self-protection measures, it became evident that their impact was primarily limited to addressing immediate and preventive responses to specific acts of violence that occurred outside the bounds of the law. Moreover, it was observed that only a few large organizations with sustainable financial resources were able to effectively employ such measures.

In the same context, a group of organizations characterized the procedures for submitting complaints to the relevant authorities within the country as formal and lacking in producing tangible or practical results. They added that these procedures did not effectively address the lifting of restrictive and arbitrary measures or hold the violators accountable. This ineffectiveness stemmed from two main factors, as indicated by the respondent organizations: Firstly, the authorities to whom complaints were submitted, such as the Social Affairs and Labor Offices, were often the same entities imposing restrictions on civil society. Secondly, these authorities lacked effective power or influence over unofficial parties or security services that engaged in actions outside the boundaries of the law. The responding organizations also expressed their dissatisfaction with the effectiveness of complaints submitted to international organizations and actors, stating that they often meet a similar fate. They noted that international bodies tend to limit their role to documenting violations and storing them in files, without exerting significant pressure on the local parties responsible for the violations or organizing influential international advocacy campaigns to support civil society issues in Yemen.

Human rights defenders find themselves in a deeply vulnerable position, completely exposed to the actions of the conflicting parties who engage in various types of violations against them. As individuals working independently, their lack of effective protection mechanisms becomes particularly pronounced. In addition to their limited access to the justice system, they are afraid of disclosing their identity and revealing or speaking out about the abuses they endure because this might have extremely negative repercussions on them and their families. According to an activist, "resorting to protection mechanisms in the face of violations exposes activists to even greater danger. The activist asserts that all mechanisms ultimately fail in the context of war, and this realization is widely acknowledged. As a result, many human rights activists find themselves compelled to flee from harassment by the parties involved and seek refuge in other countries or relatively safe cities."

Furthermore, human rights defenders expressed their disillusionment with international and United Nations legal protection mechanisms, describing them as merely symbolic and lacking practical effectiveness. They view these mechanisms as being confined to written documents, providing little tangible support or concrete action to address the challenges and risks faced by human rights activists on the ground.

Second: Responses Mechanisms: A Variety of Approaches

When confronted with a lack of effective mechanisms and measures to safeguard civic space, civil society organizations adopt various practical responses aimed at ensuring their survival, continuity, and uninterrupted pursuit of their operations in a hostile and perilous conflict environment. Compliance, as a guiding principle, governs the responses of civil society within the boundaries set by the different parties involved in the conflict. Despite some variation in the forms of practice and the practical restrictions faced, adherence to these basic standards remains a fundamental aspect of civil society's approach. Indeed, the approaches adopted by civil society organizations in response to the restrictions and violations they face are influenced by a multitude of factors, which are both extensive and intricate. Among these factors, the following are particularly significant: the social structure prevalent in the organization's operational area, the unique characteristics of the organization itself (including its past experiences, reach, effectiveness, external partnerships, and the depth of its civil engagement), the specific characteristics of the conflicting parties involved, and the dynamics of the conflict, including the intensity or de-escalation of military operations. The responses of civil society organizations to the restrictions and violations they encounter are shaped by a wide range of complex factors, including the type of restriction or violation committed and the resulting nature of the harm inflicted.

Table (3) Actual Responses of Civil Society Organizations to Arbitrary and Repressive Restrictions and Practices

Approaches to address violations	Percentage
Adaptability	44%
Negotiation	32%
Public condemnation and protest	16%
No specific response	8%
Total	100%

1 Adaptability Approach

Adaptability means developing flexible strategies for civil action in light of the basic conditions imposed by the parties to the conflict on civic space. One of the key methods of civil adaptation utilized by many civil society organizations is their effort to acquire new roles, diversify their activities, and create additional spaces for civil work in response to restrictions or severe violations imposed by the parties involved in the conflict.

The diversification or addition of new activities, such as engaging in relief and humanitarian efforts, by civil society organizations is not necessarily driven by their preference scale. Instead, it often arises from various factors, including the urgent needs of the local community and the requirement to implement interventions that address those needs. Additionally, changes in donor priorities towards relief and humanitarian work can influence organizations to adapt their activities accordingly. However, the organizations that expanded their scope to include activities such as distributing aid, implementing service projects, raising awareness about the dangers of mines, supporting displaced individuals, and enhancing livelihoods (as observed in 20 development and human rights civil society organizations, charities, and unions within the sample) stated that this diversification played a crucial role in their survival. It enabled them to overcome financial challenges and establish stronger connections with local communities.

According to a development organization, their ability to survive can be attributed to their constant adaptation and diversification of activities. They emphasized that without these changes, their organization would not have made it this far. They added that they have taken on numerous new activities, including training, rehabilitation, protection, environmental sanitation, hygiene, prevention, conflict resolution, and construction of schools, clinics, and flood barriers, as well as awareness campaigns, monitoring, and reporting. During times of war, an association dedicated to empowering women found it necessary to adapt their

activities to focus on human rights, protection, and economic recovery. They engaged in various endeavors, including awareness-raising and monitoring of violations, as well as raising awareness about the dangers of mines. Additionally, they participated in food and in-kind distribution actions and actively contributed to anti-insect spraying and garbage removal campaigns, among other activities never expected to be carried out by the association.

Among the mechanisms of civil adaptation is the introduction of intentional changes to the traditional methods of work, such as the use of cyberspace as a space less subject to restrictions and censorship. This enables civil society organizations to carry out cultural and artistic activities, human rights and community awareness initiatives, and political simulation programs in a more accessible and inclusive manner. Among those methods is also the practice of surrounding the implementation of certain activities with secrecy and discretion, where civil society organizations selectively invite a carefully chosen audience to participate in these activities. In the context of human rights violations monitoring and documentation, a human rights initiative banned in a conflict-affected area stated that it persists in carrying out its activities in that area under utmost secrecy. The initiative focuses on documenting human rights abuses and conducting interviews with families of the victims in safe locations. Another organization stated that it established informal protection networks to conduct monitoring and documentation instead of its team, which had become known to the authorities and was at risk of arrest.

Another approach within civil society involves postponing the implementation of activities and events that face significant opposition from relevant authorities. This strategy aims to carry out such activities during periods when the authority opposition weakens or when the authorities are preoccupied with other matters, allowing for a more favorable environment for the implementation of those activities or events. Despite the restrictions faced by human rights and other civil society organizations, there are instances where they have voluntarily scaled back their monitoring activities in conflict areas. This is done to avoid any potential confrontations with the authorities in conflict areas where there is security tension, military escalation, or intensified battles. However, these organizations maintain their capability to resume and continue their monitoring activities once the circumstances mentioned above changed, according to them.

The tactical withdrawal through temporary cessation of activities is a form of adaptation that several civil society organizations have employed in various conflict areas. In response to the severe deterioration of the military and security situation, particularly during the initial stages of the conflict, certain organizations opted to temporarily suspend their operations

until the situation stabilized. In other cases, the tactical withdrawal occurred as an instinctive response to the traumatic impact of violent violations that the organization experienced. These violations compelled the organization to retreat from public view and conceal its activities temporarily until it regained its abilities to implement its activities.

Out of the eight civil society organizations that faced complete closure, six organizations managed to move their operation to areas under the control of another party involved in the conflict. Despite the significant challenges and costs associated with moving their operations from one area to another, these organizations eventually managed to successfully adapt and maintain their continuity.

2 Negotiation and Communication

A significant portion of surveyed civil society organizations, 32%, addressed the repressive restrictions and measures it faced by engaging in communication and negotiation with the relevant authorities responsible for civil society affairs, irrespective of the legitimacy of these authorities or the legality of their actions. Analysis of the collected data on this type of response shows the existence of some characteristics of the mechanism used by civil society to communicate and negotiate in the context of the conflict, the most notable of which are:

The predominance of the personal nature of this mechanism and its concentration outside the official channels of communication with the relevant authorities. This is often attributed to the lack of clarity or blockage of official channels, as well as the complex procedures and limited effectiveness associated with them. In contrast, personal contacts established through kinship relations, close friendships, or mutual benefits offer advantages such as clarity, ease of communication, and influence.

The tendency for personal communication lines to extend to moderate officials within the administrative bodies responsible for civil society affairs. These lines of communication may also involve employees who are perceived as collaborators or beneficiaries of implementing certain activities. On a smaller scale, contacts may include influential individuals within the warring parties, as well as their security and military agencies.

The involvement of prominent members of the local community, who benefit from the organization's services, in negotiating with the relevant authorities either independently or in partnership with the organization. This collaborative effort aims to overcome various challenges, such as situations in which the delivery of aid to affected communities becomes difficult due to movement restrictions at security and military checkpoints. Additionally,

it applies to cases where the implementation of projects faces administrative or control obstacles imposed by the authorities in the local community.

The mechanism used by civil society to communicate and negotiate is characterized by its immediate nature and primarily addresses a limited range of procedural issues. It proves somewhat effective in overcoming bureaucratic obstacles related to renewing work permits, resolving technical problems hindering activities, and mitigating arbitrary control measures in the workplace. It also serves to clarify the nature and purpose of specific activities, refute false accusations and rumors about organizations, and enhance their public image. However, when it comes to broader restrictions and repressive measures imposed by the conflicting parties on civil society, such as the re-registration and renewal of work permits, or the reduction of extrajudicial violations stemming from retaliatory motives or vague security assessments, this mechanism has little to no influence.

3 Public Condemnation and Protest

Civil society organizations refrain from explicitly condemning or publicly criticizing the behavior of the conflicting parties that impose restrictions and repressive measures on them. However, 16% of surveyed civil society organizations has utilized the mechanism of public condemnation and protest in response to the acts of repression they have experienced. For instance, these organizations issued statements of condemnation, held vigils, or engaged in limited advocacy activities to voice their opposition and raise awareness about the injustices they face. The adoption of protest methods was primarily linked to instances where civil society organizations faced violations or unlawful reprisals, such as the enforced disappearance of their employees or workers. On the other hand, the condemnation through the issuance of statements directed to the public was more commonly employed by professional unions and press institutions.

As for human rights defenders, their responses are often characterized by silence, primarily due to fear of the risks associated with reporting or disclosing personal information. To ensure a flexible space for expressing their opinions, both male and female activists adopt various strategies. For example, they create accounts on social media using pseudonyms or false names, allowing them to engage in activism while protecting their identities. Additionally, they exercise caution in their social interactions and strive to carry out civil and human rights activities discreetly and covertly while showing a high degree of compliance with the restrictive measures imposed on public activities. Some of them pointed to the building of personal relationships with official bodies and local councils as a possible way

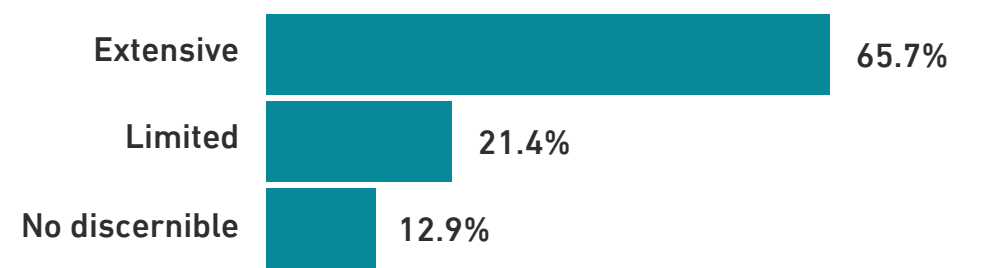
to avoid or mitigate repression. However, they drew attention to the difficulty of sustaining these relations due to the administrative changes that occur in job positions in these regions, in addition to the multiplicity of parties to the conflict and armed groups, sometimes even at the level of the same local area.

Theme 5: Impacts of Repressive Measures on the civic Space

The repressive policies implemented by the warring parties during the armed conflict have wide-ranging and multi-level negative impacts on civic space. Despite some variation in the assessments provided by civil society organizations regarding the impacts they have directly experienced, several key impacts can be identified, including the following:

First: Impact on the Performance of Civil Society

Figure (11) Impacts of Arbitrary and Repressive Restrictions and Practices on Civil Performance



The repressive restrictions and measures have had various negative impacts on the performance of civil society organizations include the temporary suspension of activities, reduced field work, implementation of less effective activities due to continuous arbitrary control, project suspensions during implementation due to work permit renewal requirements, and complete obstruction or delay of other projects. Most of the organizations surveyed (65.7%) rated the negative impacts on their performance as “Extensive,” while 21.4% described the impacts as “Limited,” and 12.9% reported no discernible impact on their organization’s performance.

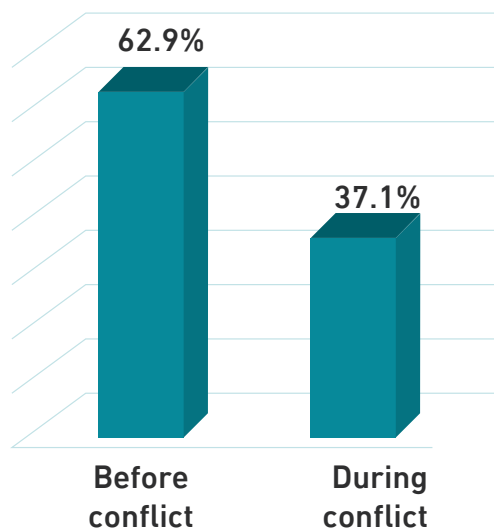
The variations in assessing the impact of repressive restrictions and measures on civic performance can be attributed to the diverse local contexts in which each organization operates. Some organizations attributed the limited negative impact on their performance to their effective coordination with the relevant authorities in their areas of operation and the

establishment of formal partnerships with them. Additionally, other organizations reported that their relatively recent establishment may account for the lack of significant adverse impacts from repressive measures on their performance.

Repressive measures are less likely to impact organizations that have limited activities or those that primarily seek to establish their presence in the civil scene during the armed conflict, rather than focusing on specific paths of achievement and performance development.

Second: Impeding the Natural Growth of Civil Society

Figure (12) Civil Society Organizations Established During the Conflict



Out of the 70 civil society organizations examined in the study, 26 were officially registered during the armed conflict and were allowed to engage in activities of public benefit based on their registered statutes. This demonstrates that the stringent administrative restrictions did not completely close off the civic space or eliminate the legal right to associations. This resilience can be attributed to a societal inclination to continue civil work despite the challenging and adverse conditions of the conflict, reflecting the enduring spirit of civil engagement and the ingrained “sense of cooperatives” within Yemeni society. It is probable that the organizations established during the conflict were able to navigate the strict restrictions on the right to form organizations in their own ways, while numerous other organizations and associations had their registration applications rejected or encountered complex obstacles that prevented them from registering.

Figure (4) Percentage of Newly Established Civil Organizations in Each Conflict Area

Organization Scope of Work	Date of Operation		Percentage
	Before the conflict	During the conflict	
Areas controlled by government	20.0%	18.6%	38.6%
Areas controlled by Ansar Allah group (Houthis)	27.2%	1.4%	28.6%
Areas controlled by Southern Transitional Council (STC)	14.3%	11.4%	25.7%
Areas controlled by the Joint Forces	1.4%	5.7%	7.1%
Total	62.9%	37.1%	100%

Organizations established during the conflict show a notable concentration in specific areas under the control of different factions. Based on the sample, these areas include the city of Taiz and its southern countryside, Hadramout Governorate, the city of Mokha in Taiz Governorate (under the control of the Joint Forces), and the city of Aden (under the control of the Southern Transitional Council). These emerging organizations engage in various fields of work, such as human rights and peace and conflict resolution, except for those in the areas controlled by the Joint Forces, where their activities primarily focus on charitable and humanitarian development. In contrast, new organizations registered in Ansar Allah (Houthi)-controlled areas constitute a smaller percentage in the sample and primarily focus on social charitable work. This uneven distribution of civil society growth creates a fragmented landscape, which may have negative implications for the future of civil society at the national level.

Third: Impact on Civil Society Organizations' Sustainability

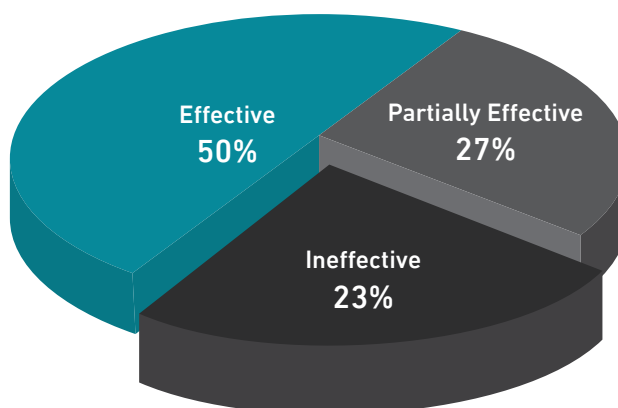
The conflict has had a detrimental impact on the sustainability of civil society organizations. It has limited the scope of projects and activities that contribute to the long-term viability of these organizations. Instead, the conflict has shifted priorities towards fields that do not effectively build institutional capacities or develop the skills of their employees. Many perspectives have pointed out that areas such as relief and humanitarian aid, although important, do not provide strong support for long-term sustainability.

Some argue that the relatively abundant foreign funding in the areas of relief and humanitarian aid has led certain parts of civil society to hastily adjust their plans and programs. They engage in activities that may not align with their expertise and for which

they lack the necessary training and capacity. Despite several years of implementing relief and humanitarian projects, many organizations still lack the essential capabilities, trained personnel, and required infrastructure like storage facilities and warehouses. They also lack codes of conduct and operational manuals for carrying out these projects and programs. Furthermore, there are significant challenges in localizing humanitarian action and finding effective local partners with sufficient institutional access.

On the other hand, the repressive restrictions and measures have undermined the ability of civil society to adhere to annual plans, resulting in some organizations scaling back their activities to a minimum level. Moreover, many planned activities, which had been agreed upon with donors, encountered significant difficulties during implementation or were completely halted, preventing the desired impact from being achieved.

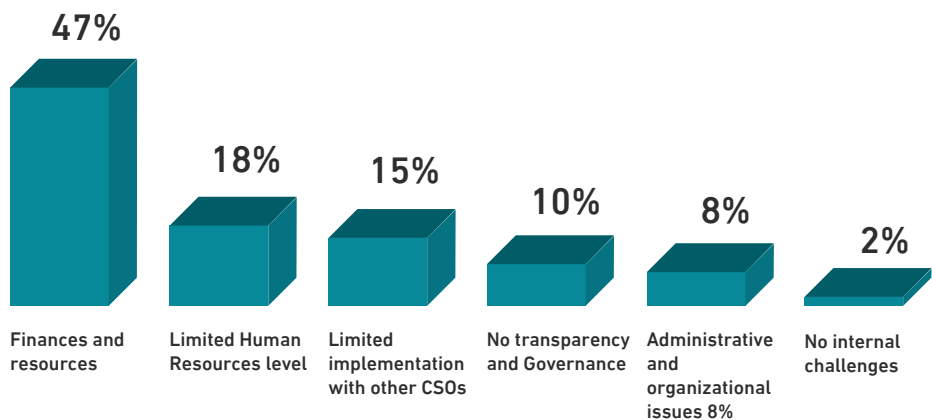
Figure (13) Effectiveness of External Financing



The role of external support in ensuring continuity and sustainability of projects, programs, and activities during the conflict has been assessed differently in the study. While 77.1% of surveyed civil society organizations acknowledged receiving or having received external funding during the conflict, the effectiveness and impact of such support varied (see Figure 13). According to 27% of these organizations, only a small portion of these funds is allocated towards building institutional capacities, staff training, skill enhancement, and administrative and executive development. Moreover, operational budgets, including salaries, rent, and necessary equipment, receive limited support. The funds primarily focus on implementing short-term projects, which poses challenges for organizations once the projects are completed, including the risk of stagnation or complete cessation. Additionally, several organizations mentioned the negative consequence of loss of qualified staff due to the lack of project continuity.

Short-term support has a detrimental effect on the sustainability of activities that address pressing community needs during conflict, particularly those related to women, children, health, and mine risk education. Only a few organizations are able to implement programs with long-term impacts due to the limitations of short-term funding. Furthermore, according to certain local organizations, donor strategies lack flexibility, which compounds the funding challenges faced by local implementing partners. There are instances where donors prioritize specific geographical areas that are difficult to access and implement projects in, without fully comprehending the restrictions experienced by local organizations.

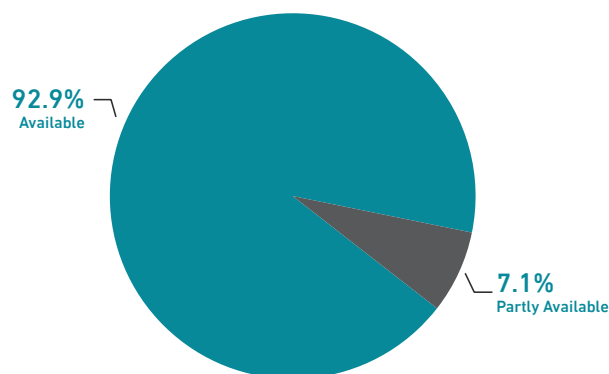
Figure (14) Types of Internal Challenges and Difficulties Within Civil Society Organizations



47% of the local civil society organizations surveyed reported that their primary internal challenges are related to finances and resources. These challenges stem from the restrictions and measures imposed by the conflicting parties (see Theme 3), as well as the limited availability of external funding and the demanding requirements set by donors. Several organizations highlighted that inadequate funding hampers their ability to expand their activities and address community needs effectively. For instance, a human rights initiative mentioned that it couldn't provide necessary psychological support to released abductees and their families due to insufficient funding. While donors and funding organizations acknowledge the financial difficulties faced by civil society organizations, some external partners perceive the issue as being linked to the unrealistic financial expectations of certain local organizations that may not have the capacity to effectively manage external funding.⁷⁹

79 Outcomes of the focus group discussion on August 10, 2022.

Figure (15) Availability of Organizational Structures



Within the same context, it was found that 92.9% of the civil society organizations in the study maintain an organizational structure governed by administrative and financial protocols, along with an internal system that outlines specific responsibilities. However, a comprehensive analysis of the responses provided by the representatives of civil society organizations reveals scattered information indicating that the organizational structures of these organizations have been negatively affected over the course of the conflict. This can be attributed either to the indirect and automatic consequences of the conflict itself or to the direct restrictions and violations imposed on some organizations. The detrimental issues impacting the organizational structure of these organizations include the forced replacement of leadership or key personnel within local organizations. Additionally, there has been a continuous loss of trained staff due to the temporary nature of civil activities, lack of sustainable financial support, emigration of civil society leaders abroad, or their departure to work in international organizations offering attractive salaries. Furthermore, the geographical dispersion of administrative bodies within the country and the resulting communication difficulties and organizational coordination pose additional challenges. Moreover, some civil society organizations established during the conflict struggle with weak leadership and management experience.

Accurately assessing the impact of the aforementioned detrimental issues on the organizational structure of local civil society organizations is challenging. However, based on the available information, it is evident that the civil society organizations included in the study have generally maintained their organizational coherence. They have not experienced significant fragmentation, internal disintegration, or vertical divisions based on the fragmented political landscape, except to a minimal extent. This is particularly notable in

organizations with branches operating in multiple governorates under the control of different warring parties or those operating in various parts of the country, such as trade unions and general federations. While branches of syndicates and federations in different governorates may pursue some level of “self-administration” in accordance with the local political environments they operate in, they still adhere to the overall directions set by the executive administrative bodies at their headquarters.

In general, while the continuity of organizational structures in local organizations that have survived during the conflict can indicate their internal cohesion, it is not sufficient to assess the extent of self-organization, quality of management, or the democratic decision-making process within civil society entities. Assessing these aspects requires comprehensive research with standardized and multi-level assessment methods, including in-depth analysis of organizational practices, leadership, and governance. 9.7% of the surveyed civil society organizations acknowledged internal challenges related to transparency and governance, while 8.1% reported other administrative and organizational issues (see Figure 14).

Fourth: Impact on Civil Society Autonomy

The surveyed civil society organizations emphasized their commitment to autonomy and their refusal to engage in political agendas or prioritize the interests of the conflict parties. Many civil society representatives believed that this autonomy, which entails not being affiliated with any of the conflicting parties, was a significant factor leading to the repression exercised by parties to the conflict on civil society space during the conflict.

Figure (16) Types of Relationships Between Civil Society Organizations and Authorities in their Areas of Operation

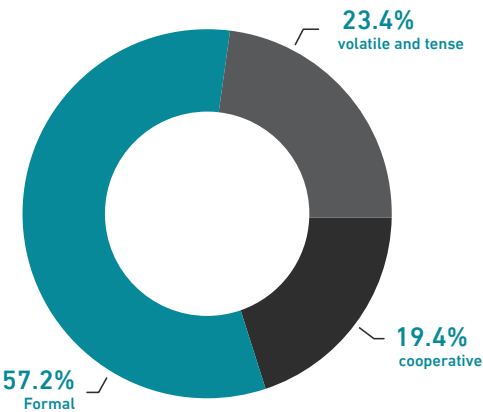


Figure 16 illustrates that the prevailing characteristic of the relationship between civil society institutions and the authorities in different conflict areas is one of calm and stability. This indicates a practical state of compelled coexistence between civil society and the authorities and actors involved in the conflict. It is possible that the relationship has experienced phases of varying levels of tension that were not empirically observed. This also demonstrates civil society's inclination to avoid direct confrontation or reaching a state of complete breakdown in their relationship with the authorities and actors, aiming to safeguard the limited civil space that remains available.

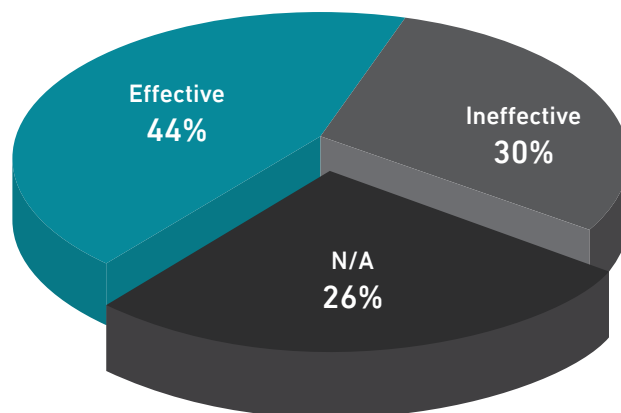
Civil society representatives employed various terms to characterize the relationship between their institutions and the authorities, including terms like normal, formal, okay, not tense, and well. These descriptions imply a sense of suspicion and mutual distrust, highlighting a routine nature of the relationship that primarily revolves around obtaining permits and approvals for activities, adhering to coordination procedures within established rules, or engaging in ad hoc negotiations to address procedural issues. However, there seems to be a lack of any notable positive or exceptional interactions between the organizations and the authorities.

On the other hand, it is possible that the repressive restrictions and measures, particularly financial restrictions and difficulties, along with the traumatic experiences of repression and abuse endured by certain segments of civil society, have impacted the independent practices of an unknown number of organizations and activists. It is conceivable that these circumstances may have either subdued or exploited them for political purposes in some instances. Three organizations disclosed receiving irregular funds from parties involved in the conflict within their respective areas of control as a means to bridge the gap in external funding. Although they claimed that this did not compromise their independence, a limited number of organizations mentioned engaging in utilitarian relationships characterized by the exchange of interests with actors in conflict-controlled areas. These relationships involved forming transient political alliances, wherein certain civil activities, such as displaying logos on the materials of some activities or obtaining official sponsorship for service events, were allowed in return for certain benefits or facilities provided by the authorities or actors.

Regarding the cooperative aspect of the relationship, 19.4% of the respondents mentioned limited partnerships with local authorities. These partnerships involve implementing specific projects and activities, typically of a non-governmental nature, with a seasonal focus on issues such as hygiene, environmental sanitation, education, health, and so on. Additionally, there were some instances of community accountability initiatives targeting local authority agencies, particularly in Taiz and Hadramawt. However, specific details regarding financial and accounting oversight were not provided.

Fifth: Impact on Internal Networking

Figure (17) Effectiveness of Networking between Civil Society Organizations



In the sample, 74.3% of civil society organizations reported engaging in networking with other civil organizations. Out of these institutions, 44% described the networking as “Effective” or “Partially Effective,” while 30% considered it “Ineffective” (see Figure 17). It is worth noting that networking among civil society institutions is primarily concentrated at a governorate level only. Due to the presence of multiple conflict parties, networking challenges have intensified nationwide, with few exceptions such as the Civil Alliance for Peace, which comprises 22 local organizations.

Networking was found to be particularly effective in certain areas of civil work. Non-governmental organizations operating in the field of relief and humanitarian aid reported that networking played a crucial role in avoiding duplication of interventions and ensuring efficient coordination in targeted areas. Additionally, newly established organizations benefited from networking by tapping into the experiences of well-established and older organizations. They were able to access funds from supporting international organizations and bodies, receive grants from local non-governmental organizations for capacity-building and short-term training initiatives. Networking also facilitated the process of writing grant applications for these organizations.

In contrast, networking in the cultural and artistic fields, as well as in the areas of studies and research, and peacebuilding and local conflict resolution, has been relatively weak. This could be attributed to the decreased focus on these activities during the conflict or the limited presence of institutions specialized in these fields. Additionally, weak networking has been observed in the implementation of joint projects, often due to competition for project funding

monopolies or non-disclosure policies regarding financial matters adopted by externally-funded local organizations. Hidden power dynamics within civil society have also contributed to this, as smaller organizations may be hesitant to engage with larger organizations for fear of being marginalized. Furthermore, the difficulties imposed by the conflicting parties have hindered effective collaboration in these areas.

Sixth: Impacts on Human Rights Defenders

Activists have unanimously acknowledged the significant impact of repressive measures imposed on them, particularly the long-term consequences for independent civic activism. Harassment and repression have compelled many activists to leave the country, while others who remain have made the difficult decision to withdraw from human rights and volunteer work in order to prioritize their personal safety. One activist stated, “The violations against activists and journalists force them to abandon their professions in search of security and protection from harm.” Repressive measures not only result in professional repercussions but also inflict severe personal harm on social and psychological levels. Female activists, in particular, face additional challenges as they engage in civil activities in unsafe environments, often encountering objections from their families. Certain restrictions specifically target female activists, such as the requirement of a male guardian (mahram) for travel in areas controlled by Ansar Allah (Houthis). Moreover, female activists encounter numerous difficulties in their freedom of movement and face harassment in public places.

Strengths of Civil Society and Opportunities for Mitigating Negative Impacts on its Civic Space

Table (7) Strengths of Civil Society

Civil Society Strengths in the Face of Violations and Restrictions	Percentage
Determination to Survive and Engage within the Community	28.6%
International Corporate Relations	8.6%
Communication and Media Capabilities	18.6%
Collective Solidarity	7.1%
Strong Legal and Moral Foundation	7.1%
Determination to Work for Peace	5.7%
No Strengths	24.3%

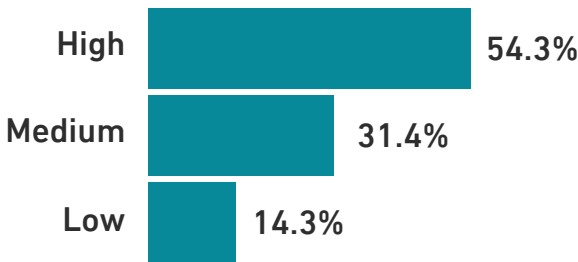
Most leaders from the surveyed civil society organizations expressed confidence in the collective ability of civil society to withstand the repression imposed by the warring parties on its civic space. This confidence is rooted in several key strengths, identified by 75.7% of the organizations surveyed. These strengths include:

Determination to Survive and Engage within the Community

One of the primary strengths of civil society is its unwavering commitment to its right to exist and its ability to continue operating within the broader community even amid conflict. This resilience underscores the enduring presence of civil society as an undeniable reality, even in the most challenging and violent circumstances. Engaging in civic action during critical and turbulent times also leads to the accumulation of diverse and valuable experiences for civil society organizations. These experiences provide genuine opportunities for learning and the development of self-confidence. According to several organizations, Yemen's civil society is still vibrant, with a significant number of young and educated leaders who possess the awareness and professional capabilities to tackle various challenges. These young leaders also have the potential to cultivate a new generation of dynamic and capable individuals, particularly among female activists.

Civil society's deep understanding of societal needs and priorities, gained through its extensive engagement with various segments of victims, displaced persons, and affected civilians, is a crucial factor in earning the trust of the broader community. This knowledge grants civil society a "moral right" to advocate for and represent the interests of society, serving as a promising resource for potential social power. In the past, national non-governmental organizations focused on democratic politics were often associated with governments and the political elite, leading to the stigmatization of many of these organizations as elitist prior to the conflict. However, this situation has undergone partial transformation, as even these organizations have increasingly sought to penetrate the grassroots level and raise awareness from within society. This approach aims to strengthen societal resilience against violations of political and civil rights and freedoms, especially following the disruption of the political hierarchy and the decline in influence and status of the old elites.

Figure (18) Abilities of CSOs to Reach the Public



In this context, civil society organizations' assessments of their relationship with the public, their reach, and the public's response to their issues, programs, and activities varied, with 14.3% of organizations describing their capabilities in this aspect as being low. While it is challenging to ascertain the accuracy of these seemingly enthusiastic and exaggerated estimates,⁸⁰ two factors may provide a somewhat realistic foundation for a rational discussion of their high/medium capacity for civic appeal, as identified by the leaders of participating organizations.

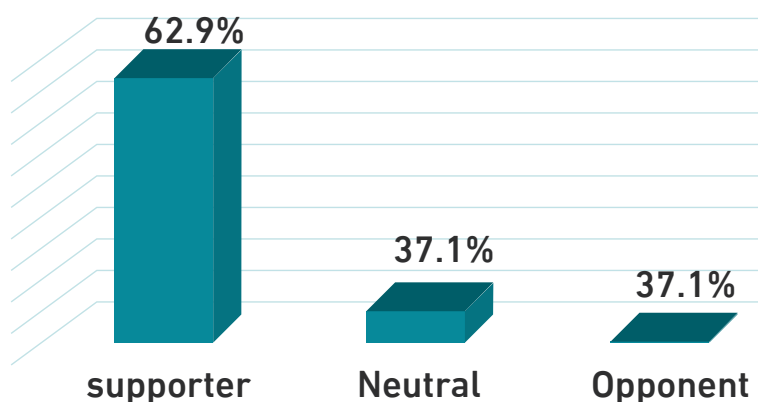
The first factor is the pressing societal need for the diverse services offered by civil society organizations, such as relief efforts, service projects, training courses, health awareness campaigns, livelihood improvement initiatives, and support for victims of the conflict. In an environment where state agencies and public utilities are largely absent, society naturally relies on and appreciates the compensatory role played by civil society. A society, experiencing the ravages of war and humanitarian crises, has little choice but to embrace the assistance provided by civil society organizations, without requiring exhaustive assessments of their relationship. Moreover, civil society offers a refuge for those who reject the politics of conflict and seek peace and coexistence. Intellectuals, writers, independent politicians, academics, and university students find a suitable platform within civil society organizations to express their opinions, uphold their convictions, and engage in discussions on public issues. These organizations provide free and secure spaces for dialogue, allowing individuals to exchange ideas and pursue their interests in a climate where freedoms have been curtailed by the warring parties within public institutions. These opportunities within civil society foster a sense of participation and contribute to the growth of a free and rational public sphere.

The second factor is the extensive utilization of social media platforms and visual applications by civil society organizations, which have increasingly become integral to their work. These digital tools serve various purposes, such as disseminating information about activities and events, sharing advertisements, organizing webinars, and creating virtual discussion groups. This widespread adoption of social media has significantly enhanced civil society's ability to reach a large and diverse audience in the virtual realm, capturing their attention and generating ongoing engagement and interest.

80 Overall, these assessments appear to be based on subjective impressions rather than rigorous empirical evidence. However, many organizations implicitly indicated that their perceptions of their relationship with the public are informed by various real indicators. These indicators include the attendance and participation of the public in their events and activities, the findings of post-monitoring conducted by other organizations on the data they release, feedback from the public, as well as post-evaluations of implemented projects. Additionally, the limited criticism received through dedicated toll-free telephone numbers for complaints also contributes to their assessment.

Civil society's ability to reach and engage the public in its activities is influenced by various factors, the most important of which is the type of target group. Organizations focused on youth tend to have greater capacities in terms of outreach and responsiveness, including their ability to mobilize volunteers. Additionally, factors such as the nature of the activities and issues championed by the organization, their acceptance by the public, the organization's level of independence, and the safety associated with participating in the activities all play significant roles. For instance, a human rights initiative shared that the mothers of some abductees refrained from participating in vigils demanding the disclosure and release of their children due to fears of being violently repressed by security forces. These factors collectively shape the public's expectations and willingness to engage with civil society initiatives.

Figure (19) Public Attitudes Towards Civil Society



Analysis of interviews conducted with individuals from the general public to gauge their attitudes towards civil society amidst the conflict revealed that 88.2% of respondents recognize the significance of having a local civil society during these challenging times, while 11.8% remained neutral on the matter. Most of the pro-civil society interviewees cited the role played by these organizations in alleviating human suffering and providing assistance to communities. Some of them emphasized that their pro-civil society attitude comes from the importance of defending rights and freedoms, particularly in the face of escalating violence and violations. When asked about the specific roles they witnessed civil society undertake, respondents ranked them as follows: relief efforts, aid for IDPs, charitable initiatives, rehabilitation and training for specific social groups, social education and awareness, documenting violations, and human rights advocacy. Furthermore, 76.5% of respondents expressed opposition to smear campaigns and incitement targeting civil society, which is an indication that attempts by conflict parties and extremist groups to undermine civil society's

legitimacy do not gain significant social support. While a smaller percentage took the side of neutrality on this issue, and a few members of the public sample supported it. It is evident that the public's attitudes towards civil society during the conflict match the assessment results of a significant portion of civil society organizations regarding their high or medium ability to reach and engage the public in their activities. However, it should be noted that this does not imply active and substantial public participation in civil society activities, nor does it imply complete satisfaction with local organizations and their performance, despite the urgent need for their services. During the interviews, members of the general public expressed significant criticisms of local civil society and its performance during the conflict. These criticisms centered around issues such as low credibility, limited effectiveness, inadequate on-site project oversight, weak independence, lack of transparency, absence of clear purpose and vision in addressing community priorities, lack of coordination among different components of civil society, and the perceived promotion of mixed-gender interactions, according to some.

Communication and Media Abilities

Civil society has significantly enhanced its communication capabilities, enabling access to virtual reality and the use of technology as a means to circumvent formal and informal repression. These advancements have provided a vital platform for civil activities that are challenging to execute on the ground due to repressive censorship and restrictions. Despite the obstacles encountered in the virtual realm, such as Internet interruptions, high network costs, and unregulated electronic censorship, numerous organizations participating in the study recognized the importance of internet-based communication tools in mitigating repressive measures and reducing their impact. Notably, these communication capabilities have proven effective in countering disinformation and defamation campaigns targeted at civil society organizations, clarifying such misinformation to the public at the local level and disseminating information about violations to the international community. Additionally, establishing positive relationships with unofficial media outlets in conflict areas has played a partial role in shedding light on civil society's activities and contributions, drawing attention to its issues and challenges.

International Partnerships

Due to the challenges faced by international actors and NGOs in establishing a direct presence on the ground in Yemen, most international assistance policies rely heavily on local implementing partners, primarily local civil society organizations. Consequently, civil society in Yemen has become an indispensable link in the critical supply chain for delivering aid, relief, and humanitarian assistance to millions of Yemenis. This situation underscores the

interconnectedness of Yemen's civil society with the global community, making it difficult to isolate it from international involvement. Similarly, certain national non-governmental organizations focused on monitoring human rights violations have gained prominence as the world's "watchdog" for the human rights situation in Yemen. An international agency dedicated to monitoring human rights worldwide explains that their field observer network is relatively small, with only ten full-time monitors. Given the telecommunications limitations and people's reluctance to share information with unfamiliar individuals, their monitoring efforts heavily rely on phone contacts. While they have a substantial presence in Afghanistan with over 100 monitors, Yemen does not yet enjoy full operational coverage. The agency acknowledges the high cost of operating in Yemen and therefore relies on local partnerships to carry out their work.⁸¹

According to a group of local organization leaders, the reliance of donors and international partners on local organizations for aid delivery and monitoring of human rights violations has had some positive impact on strengthening the unity of civil society components in the face of repression. However, this effect is not evenly distributed or experienced by most local organizations. For instance, local human rights organizations that have strong information exchange capabilities with international partners and active access to international human rights bodies, such as the Human Rights Council, have greater flexibility in confronting direct repression policies targeting them. These organizations are able to convey the potential consequences if the conflicting parties persist in their repressive practices. One local organization expressed their strength in clear and forceful terms, stating, "My international partnerships are the source of my strength."

Advocacy and Networking

Although civil society holds divided views on the effectiveness of advocacy and internal networking among its components, a number of local organizations still consider this tool to be a strength that can be utilized in specific circumstances.

Strong Legal and Moral Foundation

According to several leaders of local organizations, civil society possesses moral strength in the face of repression. This strength stems from its role as a witness to the grave human rights violations committed by the conflicting parties and the resulting humanitarian disasters and daily suffering of the civilian population. Additionally, civil society derives

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moral legitimacy from the law, which serves as a solid foundation for its struggle against systematic repression. Despite the parties to the conflict violating the law, its existence remains an important reference point when engaging with authorities that hinder civil society's space. Local organizations have found that having a good understanding of the law, using professional and cautious language, and demonstrating impartiality can have a positive impact in certain contexts and cases, potentially influencing attitudes. Furthermore, some organizations emphasized the importance of preserving Yemeni law on civil society without amendments as a means of holding the violating parties accountable in the eyes of the international community.

Civil society in Yemen demonstrates interesting aspects of maturity in its civil discourse, which contributes to its moral character. The discourse exhibited in the statements and reports issued by local civil society is generally marked by tolerance and avoids sharp polarization or support and incitement for violence. This credit is likely not solely attributed to well-established traditions within civil society in Yemen but is rather a result of the unity and cohesion among numerous enlightened groups within the civil sector. These groups have consistently shown a commitment to their civic duties and responsibilities, which has fostered a reasonable and constructive discourse.

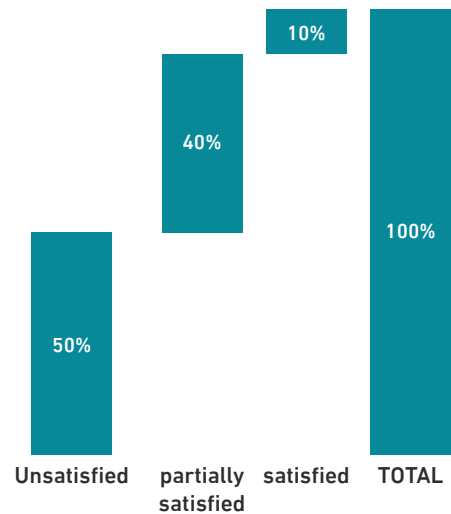
Determination to Work for Peace

Civic activism, in all its forms and without exception, stands as the inherent opposite of conflict and violence. Specifically, engaging in activities directly associated with peacebuilding, especially those aimed at resolving small conflicts within local communities, contributes to dismantling the societal roots of violence. Such actions symbolically and gradually undermine the prevailing culture of war, thus removing the pretexts utilized by the conflicting parties to constrain the space of civil society.

During the conflict, civil society have engaged in various forms of peacemaking activities. These included organizing training courses to empower youth in resolving local disputes, including land conflicts, conducting community meetings to discuss mechanisms for conflict mediation, establishing community reconciliation committees, and raising awareness about the importance of coexistence and community peace. Additionally, data matrices were prepared to document local conflicts and their underlying causes in different regions and governorates of Yemen. Many of these activities were integrated into broader civil work, blurring the distinction between peacemaking as a distinct professional field. While this reflects the lack of professionalism in peace activities in Yemen, it also highlights the pragmatic balance between the community's fundamental needs for assistance and protection, including its pressing need for peace.

Several organizations, whose primary focus is not peacemaking, expressed their engagement in activities that reflect their commitment to peace as a crucial societal need. Women's organizations, for instance, have undertaken specific initiatives to enhance women's capacities in peacebuilding. They have organized training sessions and awareness programs to address women's peace-related concerns. Similarly, various development organizations have conducted workshops and courses to enhance the skills of their staff in the field of peace. Furthermore, press institutions have embraced training activities in peace journalism. These examples illustrate the diverse range of organizations actively involved in promoting peace, despite it not being their central area of work.

Figure (20): Satisfaction with Civil Society's Representation in Peacebuilding Efforts



Many local organizations have articulated insightful perspectives regarding their potential role in building a peaceful future. While these perspectives may align with the unique focus of each organization's core activities, they collectively emphasize the importance of fostering genuine interests and earnest aspirations to contribute to peacebuilding and consolidation. It is noteworthy that civil society's representation in political settlement and peace-making endeavors remains limited, yet these organizations remain committed to their peace-oriented goals (see figure 19).

Furthermore, organizations directly involved in peacemaking activities have demonstrated their commitment to influencing the agendas of relevant actors and international bodies involved in ending the conflict in Yemen. They have actively sought to convey the voices of Yemenis calling for peace on an international scale. Some of these organizations have reported notable success in contributing to international efforts aimed at achieving a political

settlement between the conflicting parties. For instance, the Civil Peace Coalition has reported its close involvement with committees established under the United Nations Humanitarian Armistice Agreement (April 2022) and their consultations held in Jordan, such as the Road Opening Committee and the Military Committee. Another organization managed to organize a Zoom meeting with Martin Griffiths, the former United Nations Special Envoy to Yemen, enabling Yemeni youth to communicate their perspectives to relevant global stakeholders.

Concluding Remarks: Evaluating Civil Society's Capacities to Counter Repression and Mitigate its Impact

While civil society in Yemen possesses strengths that enable its survival and continued work in a complex and dangerous environment, it faces challenges in curbing the widespread restrictions and repressive measures and mitigating their medium to long-term impacts. According to the study, the opportunities for civil society to address these challenges are weak and limited, primarily due to the following considerations, which, meanwhile, shape the overall landscape of civil society in Yemen during the conflict:

Deep-Impact Structural Distortions

The repressive measures imposed on civil society in Yemen have led to profound structural distortions, which may significantly alter the overall landscape of civil society in the country in the future. One notable consequence is the emergence of an imbalanced and distorted growth pattern within civil society during the conflict (see the first part of Theme 5). Unfortunately, civil society lacks effective tools to counter the rampant politicization of its space and to mitigate the long-term distorting effects caused by this phenomenon. Particularly concerning is the influence of parties to the conflict with semi-eradicational tendencies towards civil society space.

Fragile Popular Base

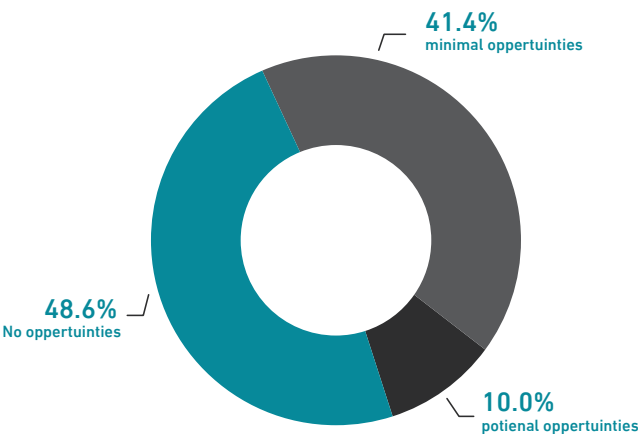
While many civil society organizations express high levels of confidence in their relationship with the public, it is important to note that this does not necessarily indicate a significant positive shift in the overall attitudes of the broader community towards civil society organizations. The relative improvement in the image of civil society is likely attributed to transient and temporary conditions associated with the ongoing conflict. It cannot be relied upon to ensure continuous popular sympathy and support for civil society. It remains uncertain whether civil society has been successful in establishing enduring and extensive

relationships with the communities it serves, particularly given that its activities and projects lack sustainability and do not achieve the desired community impact.

Theoretical Strengths

Some strengths of civil society, such as advocacy, remain untapped and unrealized. Activating these strengths in an environment of armed conflict is crucial to achieve the desired impact in support of civil society issues and overcome significant challenges within the structure of civil society itself. These challenges include addressing fragmentation and managing localized work agendas. Moreover, the ability of civil society to employ its strengths effectively and constructively in the face of restrictions and repression is uncertain, representing a fundamental weakness. Despite the availability of non-traditional communication channels and improved capabilities in this regard, civil society does not prioritize winning public opinion in the battle against restrictions and violations of its space. This may be attributed to a desire to avoid provoking the offending parties and escalating tensions in an environment devoid of reason or adherence to the rule of law. Additionally, civil society is cautious about jeopardizing backchannel communication and negotiation channels that are instrumental in resolving immediate issues (see section on Adaptability Mechanisms in Theme 4).

Figure (21) Civil Society Opportunities to Influence the Authorities



Acute Lack of Collective Civil Struggle

The civil society landscape is characterized by an individualistic mindset that hampers the development of organized collective efforts to challenge repressive measures and restrictions. According to the study, civil society organizations tend to address the challenges they face in their own ways, which, while understandable to some extent, perpetuates

a pattern of divergence in their approaches to protecting civil society space. This lack of collective action hinders the ability to find common ground and effectively respond to challenges. Additionally, the absence of clear criteria governing relationships among civil society components further compounds this issue. It is worth noting that communication channels and occasional discussions between civil society organizations and relevant authorities are primarily utilized to address individual concerns or resolve specific issues. Rarely are these channels employed to influence the policies of the conflicting parties or advocate for a more favorable legal and administrative environment for civil society as a whole. Despite limited opportunities for influence, some organizations acknowledge the potential for minimal impact on the parties involved (see Figure 21).

High Level of Dependence on Donor Community

Civil society in Yemen heavily depends on the support of the international donor community. External funding is a crucial lifeline for its survival and sustainability, and at times, it becomes an ultimate objective in itself. A significant portion of the surveyed organizations that do not receive external funding stated that their local or self-generated resources are primarily used to establish a presence that can attract the attention of external donors. This strategy aims to enhance the organization's prospects of qualifying for funded projects.

The extensive reliance on donor funding has negative consequences, such as intensifying fierce competition for funds within the civil sector. This, in turn, weakens access to internal funding that could otherwise foster a sense of collaborative civil work and facilitate the growth of grassroots initiatives.

Weak International Strategic Partnerships

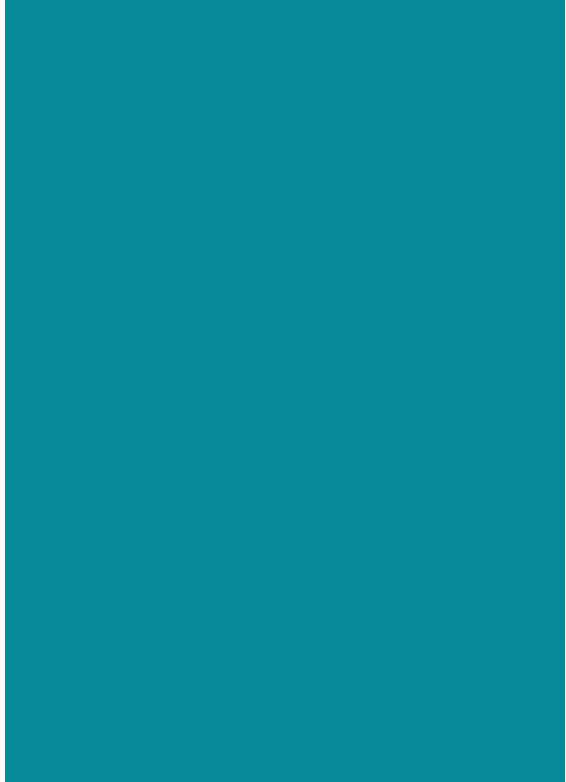
External partners and international donors have expressed implicit dissatisfaction with the limited ability of local organizations to reach a strategic partnership level. According to one international donor, their attempts to establish long-term strategic partnerships are often hindered by the fact that local organizations are only capable of undertaking small, short-term projects. Local organizations often lack experience, qualified staff, proper planning, and the ability to design projects that effectively address community needs. Many of them fail to meet donor requirements.⁸² "It is believed that enhancing the capacity and training of civil society organizations is essential to garner greater support for the benefit of the people of Yemen."⁸³

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83 Outcomes of the focus group discussion on August 10, 2022.

Regarding human rights, some international partners and donors have pointed out the “lack of awareness within the human rights community about the importance of collecting statistical data on human rights conditions.” One partner mentioned that “many individuals working on human rights tend to have a short-term perspective. They focus on documenting violations and conducting interviews, expecting immediate accountability through avenues such as the International Criminal Court and the Sanctions Committee. However, human rights work is a slow and time-consuming process that requires a long-term view. This perspective has been emphasized to many partners and friends. The international community’s attention tends to shift over time. Currently, there is increased focus on Ukraine, but this may not be sustained indefinitely.” The speaker highlighted their experience in working in countries that were previously overlooked, such as Darfur and Somalia, where the situations remain dire, while adding that, “the concern expressed is that Yemen may become forgotten, similar to Darfur and Somalia. It is crucial to maintain global attention over Yemen. The work of civil society activists must persist to document and record violations, as well as listen to the voices of the victims.”⁸⁴

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Conclusions

A Repressive and Semi-Enclosed Space

During the conflict in Yemen, the country has lacked a safe and supportive environment for civil society and human rights defenders. Both legally and practically, the right to work freely without interference from the government or de facto authorities is completely nonexistent. While the right to association theoretically exists, it faces numerous obstacles and challenges in practice, making it difficult to exercise or undergo smooth registration procedures in a timely manner. The right to expression and freedom of the media are severely constrained by radical and extensive legal and political measures. These measures include the closure of independent newspapers, the prohibition of online publishing, arbitrary arrests, enforced disappearances, and torture of journalists and opinion leaders. Peaceful protesters, exercising their right to assemble for various purposes, are met with excessive violence. In some conflict zones, even contemplating the exercise of this right puts individuals' lives at risk. While the internationally recognized government and de facto authorities do not explicitly ban external funding, the right to seek resources and access external funding is effectively restricted. Mandatory prior approval, complex bureaucratic hurdles, and reliance on authorities that control funding without clear and fair criteria all impede the process.

The study identified the following key findings:

First: Systemic Characteristics of Policies to Suppress Civil Society Space in Yemen

1. Civil society space in Yemen is severely constrained by arbitrary and repressive measures imposed by the conflicting parties. These measures target civil society components and activists, and they vary in intensity and extent. The practices employed are extensive and widespread, characterized by a continuous and successive flow of measures, procedures, and actions aimed at fundamentally reshaping civil society space according to the agendas of the conflicting parties.
2. The parties to the conflict harbor explicit or underlying hostile perceptions that shape their attitudes towards civil society space. They tend to exaggerate and unjustifiably perceive security risks associated with a free and independent civic space. Moreover, these parties view civil society space as a battleground for exerting power, influencing others, and showcasing their control.
3. The repressive behavior of the internationally recognized government towards civil society space in Yemen can be traced back to a historical pattern of marginalization and control. In the current conflict, these tendencies are manifested through actual acts

of repression. Similarly, the Southern Transitional Council (STC) represses civil society based on its limited recognition of the national political entity and system of the state. Existing civil society is viewed, from the perspective of the STC, as representing the other side of the dominant “Northern Political Center.” Akin to the “Northern Center,” following the unification of Yemen in 1990, civil society in the southern governorates was predominantly shaped by institutions from the north. This dominance hindered the development of a distinct civil society in the south. Despite the challenges faced by these northern institutions during the conflict, the STC believes they continue to exert influence and replicate their presence. Consequently, the STC seeks to restrict and weaken civil society in the southern governorates to establish a purely southern civil society that aligns with their vision of an independent southern state.

4. The motives of Ansar Allah (Houthis) towards civil society space are deeply hostile, driven by their teleological perceptions and aspirations to establish a closed and doctrinally restricted civil society. In their pursuit of this artificial civil society, Ansar Allah (Houthis) undermines the moral and religious legitimacy of existing civil society while engaging in violent and systematic repression against it. In fact, the last two cases of Ansar Allah “Houthis” and the STC clearly embody the unusual dimensions of the repression and semi-eradicative dangers faced by the space of civil society. Overall, these motives provide a general understanding of why the parties to the conflict behave in such a manner towards civil society space, regardless of the specific justifications they may put forward.
5. The first model is the substitution model, prevalent in areas controlled by Ansar Allah (Houthis). This model is highly restrictive, involving the establishment of unofficial administrative structures that assume the powers of legal authorities overseeing civil society affairs. These unofficial structures exercise arbitrary control over civil society organizations and impose censorship beyond legal boundaries, particularly targeting human rights defenders. A milder version of this model can be observed in the areas controlled by the Joint Forces in Mokha.
6. The second model is the hybrid model, found specifically in areas controlled by the Southern Transitional Council. In this model, the official structures responsible for civil society retain their legal powers and functions, while “community committees” loyal to the Transitional Council engage in arbitrary and informal monitoring of civil society organizations and human rights defenders.
7. The third model is the fragile official structure model, observed in areas controlled by the

internationally recognized government. Here, the official structures responsible for civil society exercise their legal powers and functions without parallel unofficial structures. However, these official structures often lack coherence and consistency in their roles. Numerous restrictions and arbitrary forms of control hinder the civil society space.

8. The study reveals that both official and unofficial administrative structures employ similar restrictive and arbitrary procedures and measures to control civil society space. However, it was observed that structures with a higher level of officialism are generally less inclined to impose obstructive measures on civil society compared to unofficial structures. Furthermore, according to testimonies, official structures do not impose any form of restrictions or arbitrary controls on human rights defenders, unlike unofficial structures which view monitoring this group as one of their core responsibilities.

Second: Root Causes of Repression Against Civil Society Space

1. Civil society organizations identified several direct causes for the various forms of repression they face. The primary reason is the parties to the conflict's politicized perception of civil activity and their tendency to impose strict political and regional classifications on independent actors within the civil space. The bureaucratic environment within the departments responsible for civil society affairs, whether formal or informal, serves as a significant source of restrictions and arbitrary measures that hinder civil society space to varying degrees. This is due to the complex structure of these departments, conflicting powers, ambiguous roles, and the prevalence of corruption within these weak and inefficient administrations.
2. While there is some evidence suggesting that local human rights NGOs, particularly those engaged in monitoring, documenting, and reporting human rights violations, are more susceptible to repression of civic space, the empirical link between them has been demonstrated to a limited and varying extent across different restrictions, based on the data collected in the study. In fact, due to the comprehensive nature of repressive practices during the conflict and the multitude of their forms (administrative, arbitrary, and various direct violations), it is difficult to identify a consistent pattern or trend in the implementation of repressive policies based on the field of civic activism. However, the study observed that repressive measures targeting organizations working in the human rights field tend to have more transformative objectives. The purpose of these repressive measures is to compel human rights organizations to alter or soften their monitoring activities or make significant adjustments to their human rights or political agendas,

rather than merely having an incidental impact on their programs and activities, as is the case with non-human rights organizations.

Third: Types of Restrictions and Repressive Measures

1. The parties to the conflict have implemented a range of repressive measures against civil society space, encompassing numerous restrictions and actions conducted outside the bounds of the law. These include administrative constraints, limitations on funding, curbs on freedom of expression and access to information, restrictions on peaceful assembly, arbitrary control, constraints on freedom of movement, partial activity bans, complete closures, discriminatory treatment, intimidation and threats, attacks on individuals or facilities, as well as campaigns involving incitement and defamation.
2. There is a discernible disparity in the severity of repressive measures targeting civil society space. The study reveals that arbitrary control ranks highest among these measures, closely followed by restrictions on freedom of movement. Subsequently come restrictions on freedom of expression and access to information, and administrative restrictions.

Fourth: Protection Mechanisms and Civil Society Responses to Repression Measures Targeting Civic Space

1. The civil society space faces a significant deficiency in effective mechanisms and measures to safeguard against violations, restrictions, and arbitrary measures that curtail civic space during times of conflict. This includes inadequate measures for submitting and pursuing reports and complaints with domestic legal authorities, international human rights organizations, and bodies dedicated to addressing civil society issues.
2. The existing protection mechanisms within civil society space are deemed ineffective. The presence of multiple conflict parties creates obstacles for the implementation of comprehensive and inclusive advocacy campaigns, as there is a concern about politicizing such efforts. Instead of pursuing ineffective or counterproductive advocacy approaches, most civil society organizations opt to address repressive measures on their own. Local organizations largely express a belief that international advocacy for civil society issues in Yemen has no tangible impact.
3. The absence of a viable civic avenue hampers the activation of the judiciary and the utilization of litigation mechanisms to safeguard civil society rights and address

violations. There is a dearth of opportunities for civil society organizations to challenge illegal restrictions and measures they encounter through legal means, such as pursuing court cases. This is primarily attributed to the lack of trust within civil society in the fragmented and corrupt judicial system.

4. Civil society organizations' subjective responses to repressive measures in a conflict environment are influenced by numerous factors. The key factors include the social structure within which the organization operates, the organization's unique attributes such as its experiences, reach, effectiveness, and external partnerships, as well as the characteristics of the parties involved in the conflict. The dynamics of the conflict, the ongoing military actions, and the type of constraint or violation imposed also play a significant role in shaping the organization's response. Additionally, the organization's capacity to withstand and absorb such measures is a crucial factor.
5. The key mechanism for actual civil society responses is adaptation. It involves developing flexible strategies that enable organizations to continue operating while adhering to the basic standards imposed by the conflicting parties. Adaptation entails diversifying activities, establishing alternative workspaces, intentionally modifying normal work methods, postponing, canceling, or relocating certain activities to relatively safer areas, operating discreetly, temporarily suspending activity and then resuming it, as well as moving overall operations from highly restricted and risky areas to other regions within the country with lower constraints and risks.
6. One of the most common response mechanisms is "negotiation and communication" with official authorities or establishing connections with influential individuals within the organization's environment. This mechanism primarily relies on personal interactions and utilizes existing social networks. It can be effective in resolving immediate issues and procedural matters on an individual basis. However, its overall impact in terms of significantly altering or restraining the trajectory of repression directed at civil society space is minimal. The mechanism of publicly condemning and protesting the restrictions and violations of civil society space is one of the least utilized and effective response mechanisms in civil society's efforts to address repressive measures.

Fifth: Impacts of Repressive Measures on Civil Society Space

1. Various arbitrary measures have significantly affected the performance of civil society and hindered its activities. These measures have resulted in compulsory temporary suspensions of activity, reduced field operations, engagement in low-impact activities due to constant arbitrary control, disruptions in project implementation due to work

permit renewal procedures, and delays or complete obstruction of other project implementations. These impacts have had a substantial negative influence on the effectiveness and productivity of civil society organizations.

2. Restrictive administrative measures, particularly those pertaining to the formation of organizations, have effectively closed off civil society space. Although some organizations have managed to navigate the stringent registration restrictions, the distribution of new independent organizations during the conflict period, as observed in the study, reveals a scattered and imbalanced growth of civil society across areas controlled by the conflicting parties. This imbalance in growth will likely exacerbate the nationwide disparity in the development of civil society in the future. The presence of new civil society organizations has been primarily concentrated in areas controlled by the internationally recognized government, the Southern Transitional Council, and to a certain extent, the Joint Forces. Furthermore, the activities of new organizations in areas controlled by Ansar Allah (Houthis) and the Joint Forces have predominantly focused on humanitarian and charitable work.
3. The capacity of civil society to engage in long-term sustainability and capacity-building activities has significantly diminished, as well as its ability to undertake projects that address non-emergency community needs. In addition to repressive measures targeting civil society space, there are several complex factors that have contributed to this decline, including a shift in the interests of international supporters towards emergency relief and humanitarian work, neglecting initiatives that promote long-term sustainability. External funding has been instrumental in sustaining civil society and enhancing its resilience during the conflict. However, local civil society has expressed concerns about the concentration of external funding on the implementation of small-scale and short-term projects. Donors have expressed their preference for establishing long-term strategic partnerships, but the limited expertise, organizational fragility, and short-term focus of Yemen's civil society have hindered the establishment of such partnerships.
4. The relationship between civil society and international governmental and non-governmental aid agencies has been significantly harmed during the conflict. There is a noticeable information and communication gap in this relationship, which may indicate a deep crisis of perceptions. This gap can erode trust and lead to undesirable outcomes in the relationship. While it is challenging to assign responsibility for this harm, it is evident that the international aid community and partners lack awareness of the daily struggles faced by local civil society in dealing with various repressive practices. They often limit

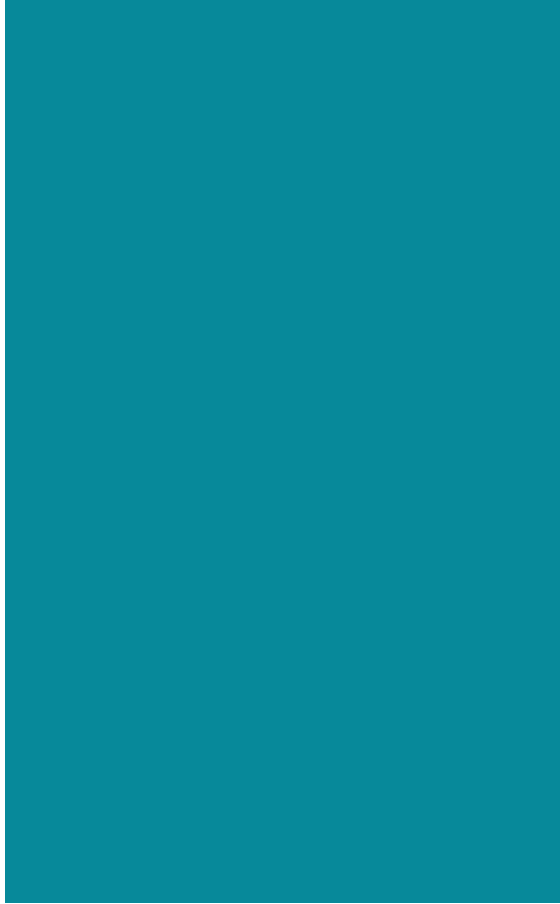
their support to a small number of organizations without providing the necessary support, advocacy, and pressure to address the broader issues affecting civil society as a whole.

5. Continued repressive measures have jeopardized the autonomy of a significant portion of civil society, potentially leading to the erosion of independent practices within numerous organizations. Financial challenges, coupled with negative experiences of repression, have compelled local organizations to accept payments and grants from parties to the conflict operating in their controlled areas, or to engage in an inequitable system of benefit-sharing with the authorities. This compromises the independence and integrity of these organizations.
6. The presence of multiple conflict parties has limited the extent of networking among civil society organizations. Networking has been restricted to specific areas of engagement. In some cases, networking has been superficial, focusing on technical coordination among relief and humanitarian organizations to avoid duplication of efforts in targeted areas. However, there is a significant absence of operational partnerships and collaboration among civil society organizations for joint project implementation. This lack of collaboration is partly due to financial non-disclosure policies adopted by certain local organizations.

Sixth: Strengths and Opportunities of Civil Society to Address Repression and Mitigate its Negative Impacts

1. Local civil society in Yemen exhibits a notable level of confidence, believing that it possesses inherent strengths that enable it to persist despite the oppressive environment that restricts its civic space. According to civil society leaders, the key strengths of civil society involve its strong determination to endure and actively engage within the community, effective communication and media capabilities, international partnerships, collective solidarity, strong legal and moral foundations, and dedicated efforts towards peacebuilding and anti-war initiatives.
2. While civil society in Yemen demonstrates a certain level of awareness regarding its strengths, it is important to acknowledge that some of these perceptions may be exaggerated. This awareness, however, serves as a significant indicator of civil society's commitment to its legitimate right to exist and its refusal to succumb to the reality of violence. Nevertheless, the prospects for civil society to overcome the wave of restrictions and violations or mitigate their medium to long-term effects

remain exceedingly limited. Repressive practices have deeply entrenched structural imbalances within the civil space. Furthermore, civil society displayed several negative characteristics during the conflict period, including weak collective solidarity, a lack of recognition of the power of public opinion, contentment with operating within existing limitations without seeking to expand its scope, insufficient accumulation of social capital for future support, heavy reliance on the donor community with weak and non-strategic international partnerships, and limited involvement in peacebuilding efforts and civil mobilization against the war.



Recommendations

Firstly, to local actors in civil society space:

On a legal level:

Establish a unified legal team consisting of lawyers, human rights activists, and legal experts to handle civil society issues and defend their rights in court. The team should coordinate the following tasks:

1. Filing lawsuits against unlawful restrictions and measures imposed by authorities on local organizations, based on the existing Civil Associations and Organizations Law.
2. Submitting official reports to the Public Prosecution Office documenting any violations or acts of violence targeting local organizations at the national level.
3. Challenging the constitutionality of any comprehensive decisions or procedures that infringe upon the legal rights of civil society.
4. Supporting and representing human rights defenders and other groups of civil activists in their legal cases, providing them with necessary legal assistance.

On a media and communication level:

The struggle against restrictions and oppression should extend into the public sphere to foster supportive public opinion. In this regard, the establishment of a civil digital platform can be initiated, which encompasses various actors within local civil society in Yemen. This platform will serve as a local mechanism for reporting civil society space violations, as well as for sharing pertinent information and documents with all components of genuine civil society. It will also focus on:

1. Actively and daily monitoring of civil society news, activities, and engagements across all regions of Yemen.
2. Highlighting exemplary practices of civil society and promoting successful experiences of local organizations during the conflict period through media channels, while sharing them with local civil society actors.
3. Creating a direct and multifaceted communication channel with the local public to foster awareness about human rights, emphasize the importance and legitimacy of civil engagement, and clarify the realities of civil society space during the conflict, including the forms of repression and intimidation it faces.

4. Establishing a reporting mechanism within the platform for documenting and analyzing the repressive restrictions and practices faced by civil society organizations and human rights defenders nationwide, ensuring the credibility of such reports.
5. Compiling an up-to-date and comprehensive directory of genuine civil society organizations, outlining their roles and areas of engagement.
6. Conducting an ongoing and comprehensive assessment of the material damages endured by all components of civil society since the onset of the conflict, aiming to obtain a realistic understanding of the necessary requirements and needs.
7. Strengthening collective solidarity, beginning with the implementation of localized advocacy efforts and fostering the exchange of information, experiences, reports, and studies among local civil society organizations.
8. Promoting engagement in the digital realm by prioritizing access to new technologies and leveraging them to implement activities, particularly in the areas of human rights, and community and political awareness raising, while facilitating interactive spaces for citizen participation in civil activities, events, and civil dialogues.

Regarding relations with external partners:

1. Raise awareness of the repressive conditions, restrictions, and abuses faced by civic space in Yemen to international public opinion, and maintain continuous and renewed exchange of information with international partners and funders on these matters.
2. Objectively and responsibly assess the level of relations with international partners, identifying strengths, weaknesses, and challenges that may exist.
3. Conduct self-assessments using independent experts and international standards to evaluate the organization's internal governance, organizational and financial management, institutional capabilities, and human resources, contributing to enhancing trust with partners and funders and formulating specific strategies for performance improvement and development.
4. Actively participate in international conferences and forums that address civil society and human rights issues, seek access to international human rights bodies, provide documented inputs for the United Nations Secretary General's annual reports on intimidation or reprisals against individuals and groups cooperating with the United Nations in human rights, and engage in the Universal Periodic Review of Yemen

conducted by the United Nations Human Rights Council.

5. Engage effectively with United Nations human rights mechanisms through the Civil Society Section of the Office of the United Nations High Commissioner for Human Rights, utilize the Civil Society Advocacy Guideline and establish connections with human rights treaty bodies and global mechanisms like the Global Alliance for Citizen Participation (CIVICUS), the International Service for Human Rights, and the Besieged Civil Society Organizations Assistance Fund (Lifeline).
6. Strengthen activities to monitor and document human rights violations comprehensively and objectively, and regularly publish human rights reports based on the collected information.
7. Enhance cooperation with international partners by sharing documented success stories and examples of good practices.

Secondly, to international donors and partners:

International organizations and actors must acknowledge the unique dimensions of repression targeting civil society space in Yemen, as well as the associated dangers and semi-eradication policies pursued by certain parties to the conflict. Despite the limited gains, the transient impact of its activities, and the lack of robust strategic partnerships, the symbolic resilience of the civic space should not be underestimated. The constraint on civic space in Yemen not only affects the situation of local organizations, but also undermines international human rights and development agendas, thereby eroding their credibility worldwide. To safeguard the remaining civic space in Yemen and create realistic opportunities for its expansion, the following recommendations are proposed:

1. Organize and support advocacy campaigns against the restrictive measures targeting civil society space in Yemen.
2. Strengthen self-protection mechanisms for civil society organizations and allocate special protection funds to support active organizations.
3. Provide technical advice to a broader range of local organizations on filing complaints and reporting violations.
4. Support troubled organizations that had records full of achievements during previous periods.
5. Link external funding to independence and be cautious of unintended actions that could

strengthen the grip of parties to the conflict on civic space.

6. Strengthen operational partnerships between local organizations and expand joint ventures, rather than focusing solely on individual projects.
7. Encourage the warring parties to ease restrictions and remind the government of its legal obligations to provide a safe and enabling environment for civil society, in accordance with international human rights law. Influence the behavior of armed groups and influential individuals in areas under their control.
8. Support efforts to establish an independent international criminally-focused investigative mechanism, aimed at monitoring the state of civic space, addressing violations against the rights of civil society and Human rights activists. This mechanism should receive periodic reports from relevant authorities and credible non-governmental organizations, preserve evidence, and ensure that perpetrators are held accountable for their actions that violate civil society space.
9. Urge official authorities to establish a legal framework that acknowledges the status of human rights defenders, regulates their position, and recognizes their special legal standing in accordance with relevant international conventions.
10. Support the implementation of more in-depth field studies on: aspects of the erosion of the autonomy of local non-governmental organizations; emerging new organizations, their reach, their relationships with the parties to conflict and international partners, and the short- and long-term impacts of their presence on the future of civil society space; the current situation of the civil cooperative movement in Yemen, its characteristics, and challenges during the conflict period; the specific situations and challenges faced by human rights defenders, especially women. In addition, funding should be allocated to the publication of brief policy papers based on empirical data on: a) donors' and international partners' policies towards violations against civil society, b) unique real-life cases of violations and the most common restrictive measures to shed further light on the violations and the dynamics behind them, c) networking and advocacy experiences at the local and international levels for civil society issues during the conflict period, and d) obstacles to judicial protection of civil society space.

Thirdly, to the parties involved in the conflict:

1. Respect the rights of all civil society actors, particularly the right to association in accordance with the provisions of Yemeni Law on Civil Associations and Organizations,

- and demonstrate a fundamental commitment to facilitating the independent and legitimate activities of civil society in accordance with the law.
2. Enforce Yemeni judicial rulings issued in cases involving the protection of civil society organizations and human rights defenders.
 3. Disclose the whereabouts of forcibly disappeared civil society activists and immediately release them.
 4. Engage positively with human rights reports that document violations committed by parties to the conflict against human rights defenders and civil society actors, and lift protections from individuals involved in violations so that perpetrators can be held legally accountable.
 5. Release frozen funds of civil society organizations held in Yemeni banks.
 6. Streamline bureaucratic requirements associated with issuing licenses, renewing work permits, and approving projects to alleviate obstacles encountered by civil society organizations, international non-governmental organizations, and international actors operating in Yemen. Additionally, ensure proper oversight of civil society organizations in accordance with the law.
 7. The Ansar Allah (Houthi) armed group should promptly remove the restrictions that impede the movement of female human rights defenders, including the elimination of the requirement for a "mahram" (male guardian) during their travel and mobility.
 8. All parties involved in the conflict, who have established unofficial structures for overseeing civil society organizations, whether in full or in part, should take tangible actions to dismantle these unofficial administrative structures. They should allow the official administrative authorities to fully exercise their powers in accordance with the law, while considering the legal distribution of responsibilities and avoiding duplication of tasks among official administrations. Furthermore, efforts should be made to reduce the number of administrative bodies responsible for issuing licenses and permits.
 9. Stop politicizing the independent civil activities of civil society organizations, human rights defenders, and human rights activists, and reassess the counterproductive approach of establishing aligned civil society organizations and imposing forced changes that have long-lasting consequences on the makeup of civil society.
 10. Establish official channels for communication with civil society, encompassing all its

components, and attentively consider their perspectives on issues and challenges pertaining to civil society space as a whole, and actively engage in regular and constructive dialogues with the aim of developing a pragmatic approach to address the existing state of repression against civil society. This entails progressively reducing arbitrary restrictions, measures, and obstacles, expanding the sphere of civil society's independence, and upholding the authority of the law.



The painting on
the cover page
was painted by
the artist:
Ryan Alshibany

Civil Society Space: Dynamics of Repression and Challenges

A Field Study on Civil Society Space in Yemen
During the Conflict Period
(2014 – 2023)

The study examines the reality of civil society in Yemen during the ongoing armed conflict since late 2014, including its legal, administrative, and political characteristics. Based on compiled data, it explores the system of repressive restrictions, measures, and violations practiced by conflict parties against civil society in its various domains and activities. It extensively discusses the protection mechanisms available for civil society space during the armed conflict, as well as the responses and coping strategies of civil society in dealing with repressive practices and measures of all forms, including innovative approaches to preserving its remaining available civic space. The study also examines the perspectives of donor communities on the new constraints and difficulties they face, as well as their roles and partnerships with civil society in the context of the armed conflict. It provides an evaluative discussion of the internal environmental elements of civil society in Yemen, highlighting the nature of the challenges and self-imposed obstacles resulting from the conflict's impact on the inherent weaknesses of civil society. The study includes an analysis of the diverse effects of systematic repression against civil society space, including long-term future implications. It assesses the strengths of civil society from the viewpoints of leaders of civil society organizations who participated in the study, as well as the potential opportunities for enhancing civil society's capacity to withstand repression and mitigate its multifaceted impact on civic space.



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