"Their Fate is Tied to Ours":
Assessing AQAP Governance and Implications for Security in Yemen

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Executive Summary

Global attention has for many years now been fixated on Islamic State and their governance project in Syria and Iraq – the most successful case globally which lasted from 2014 until early 2019. Yet, this was not the first instance of terrorist governance, nor is it likely to be the last. In fact, a growing number of jihadist groups appear to be engaging in various levels and aspects of governance in order to gain and maintain local support, particularly in areas with limited or troubled government presence. Governance has also proven to be a useful source of revenue and material gain for many of these groups, including for al-Qaeda in the Arabian Peninsula (AQAP) in Yemen.

Starting in Yemen in 2011, AQAP conducted the first successful instances of prolonged al-Qaeda governance in the cities of Jaar and Zinjibar – cities they held for over a year. Returning in 2015, the re-seized these two cites. Most significantly, they held and administered the port city of Mukalla for over a year. Beyond this, numerous cases of small scale governance were recorded in Yemen up to 2017.

This report describes the evolution of AQAP governance, outlining how an initially severely repressive approach which engaged hudud punishments was reigned in, in favour of a more 'hearts and minds'-based approach. It also highlights unique aspects of this governance that were identified as lending to its success in cases such as Mukalla, such as the use of local actors to implement government administration, as well as effective and timely provision of social welfare and public works. Finally, it examines how and why these governance campaigns came to an end. This report holistically collates and analyses the most successful cases of AQAP governance in Yemen. It also highlights the many additional and often overlooked instances of small-scale governance that were less spectacular in nature.

This report is comprised of three sections. The first describes what jihadist governance is through a review of both jihadist governance and rebel governance in the literature. The second looks in depth at three key case studies between 2011 and 2016 to see what this governance looked like in practice: Jaar and Zinjibar; Rada; and Mukalla. Finally, it considers the implications of terrorist governance for actors seeking to counter and suppress the influence of these groups. It ultimately determines that the provision of key human security and social goods such as effective justice institutions; security; employment; and above all effective and accountable governance, are crucial to subvertting local appeal for these groups. Finally, it will highlight lessons drawn from the case of Yemen and consider other jihadist actors who have engaged in governance in other locations and suggests we have to examine this growing trend through a nuanced, full-spectrum and long-term approach.

Source: Wikimedia Commons
https://commons.wikimedia.org/wiki/File:Yemen_Administrative_Divisions.jpg

Introduction

Terrorist governance has gained worldwide attention due to Islamic State (ISIS) seizing, holding and governing territory in Syria and Iraq for nearly five years between 2014 until they were finally militarily defeated in early 2019. The territory – approximately the size of the UK – contained a population of nearly eight million people. Here ISIS co-opted local governance institutions, established security and legal structures, and provided basic services such as education, public works and health care. It even provided marriage services and a DMV.[1] Yet, while to date it is the most successful case of terrorist governance, it was certainly not the first. From al-Shabaab to al-Qaeda, jihadist groups and their offshoots around the world have increasingly attempted to create proto-states and engage in differing levels of governance, melding their ideology with practical services and public works. While a specifically jihadist ideology may be strongly rejected by the populations these groups are attempting to co-opt, such efforts may nonetheless fill gaps in local governance or human and physical security in areas riven by conflict and power vacuums.

Yemen proves to be an important and often overlooked case of such jihadist governance. To different extents and for differing lengths of time, al-Qaeda's local branch, al-Qaeda in the Arabian Peninsula (AQAP), has implemented some form of governance in some parts of the country.[2] The group has also notably adapted its actions and approach over the years. This was seen, for example, when it attempted to minimize the enforcement of Islamic punishment (which had brought much criticism), instead working to 'correct' what it viewed as un-Islamic behaviour through more structured judicial means. It also began to provide extensive public services ranging from judicial to security in areas facing gaps in these public goods. As former AQAP leader Nasser al-Wuhaishi noted, "providing these necessities will have a great effect on people, and will make them sympathize with us and feel that their fate is tied to ours."[3]

Furthermore, AQAP remains a viable (though currently diminished) presence in Yemen due, in part, to the evolution in governance it has embraced. Such lessons were shared with regional counterparts in AQIM in 2011, where the group had been rejected by the local population for enacting harsh interpretations of Sharia law, demonstrating the cross-regional learning, evolution and approach the organization was undertaking. Though its first significant governance attempt came in 2011 during the Arab Spring, AQAP has controlled diverse territory on multiple occasions, implementing various forms and degrees of governance. Its most successful effort to date included holding the provincial capital of Mukalla for a year, from 2015 to 2016, following the onset of the conflict in Yemen that has been officially ongoing since March 2015.

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1 For an expansive discussion on this governance structure see Callimachi, 2018.
2 This was largely concentrated in Abyan, Azan in Shabwa and Mukalla, and to a much lesser extent in Qaifah in Baydha. A more comprehensive list of cases is featured at the end of the report.
3 Associated Press, 2012.

Following a brief discussion of jihadist proto-states and terrorist governance, this chapter will draw from both publicly available reports and current academic literature to outline AQAP's jihadist approach to governance, to interrogate and assess how its approach to governance has evolved. It will specifically analyse this by consideration of the most significant case studies, including Jaar, Zinjibar and Mukalla, and from the perspective of responses that must be considered in Yemen going forward, including post-conflict stabilization, governance and counterterrorism.

Defining Terrorist-Proto States

P rior to discussing AQAP governance in Yemen, it is worth analysing what current literature says about terrorist proto-states and governance more generally. Such an examination can better contextualize the significance of Yemen as a case study and offer more concrete recommendations for responding to this broader trend in security efforts going forward.

The scalability of jihadist governance, in terms of territorial scope and material resources, is an important consideration of its diversity, highlights Lia.[4] From a small group of believers in a prison, neighbourhood or refugee camp who swear to obey an emir, to a state project that governs a population of millions, diverse actions taken by jihadists can be seen as contributing to establishing a 'caliphate' or 'emirate' to rule the Muslim world. The longevity, delivery of civilian institutions and ability to attract foreign fighters also differ vastly.[5]

Lia notes diverse cases of jihadist governance share a number of characteristics. First, they are deeply ideological projects that publicize the ways they implement Sharia law and destroy un-Islamic icons (tombs, statues, etc.). Second, they are internationalist projects, in that they may seek foreign fighters, co-operate or compete with other jihadist proto-states, or commit to internationalist causes.[6] Third, such states are often a significant security concern due to their aggressive behaviour towards neighbouring states and the international community (particularly when they disregard state borders). Finally, jihadist proto-states commit to effective governance consisting of civilian services, justice systems, administrative and military roles, tribal mediation and so forth. These 'states' help them attain influence and power over rivals, including in terms of material resources (money and equipment) and supporters (foreign fighters or members).[7] Karmon has referred to this as "competing for hearts and minds," comparable to insurgencies to some extent.[8]

These groups may use "charitable service provisions as a tool to shift the position of the local population along a 'continuum of community acceptance'", gaining support for other elements of their wider agenda through the physical and material support of the population.[9] The provision of such services also directly impacts the social contract between a population and its government and undermines "a key source of state legitimacy."[10] Social welfare organizations, which may be run by or associated with such groups, and which may have popular support, may become the target of sanctions or counterterrorism efforts. However, as Grynkewich notes, "any counterterrorism actions with negative humanitarian consequences likely would suffer from a lack of domestic and international support"

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4   Lia, 2015.
5   ibid., 34–5.
6   Yemen is a particularly noteworthy example from this perspective, as will be demonstrated below; AQAP have tended to be more locally focused in their governance attempts.
7   Lia, 35–6.
8   Karmon, 2015.
9   Flanigan, 2006.
10   Grynkewich, 2008.

and thus create a counterterrorism dilemma.[11] This also highlights the importance of considering other interconnected streams of foreign policy when responding to governing terrorist groups, including diplomatic and development work.

Groups derive three main benefits from the provision of social services: they highlight the failure of the state to provide these; they increase legitimacy among their target population; and they can "trade needed social services for recruits, support, and sympathy from the population."[12] To manage this, states must eradicate these social services by non-state actors, Grynkewich argues, while increasingly replacing these with their own.[13] Such replacements often require outside assistance, need the state to overcome a collective action problem and may result in a short-term increase in violence.[14]

Rebel Governance

Beyond just jihadist or Islamist groups and governance, there is a body of research that examines rebel governance, described as "a political strategy of rebellion in which rebels force and manage relations with civilians",[15] which has clear relevance to Yemen. Rebel governance may impact post-war outcomes, including the political system it has engaged. Authors such as Huang examine why some countries that are autocracies before a civil war emerge somewhat surprisingly as democracies; Huang argues this depends greatly on "the extent to which ordinary people become politically mobilized during the war by rebel forces seeking their support."[16] This is largely due to the dislodgement of the old order, while "galvanizing political action at the grassroots" allows populations to gain voice and organizational capacities previously denied to them. In short, "what may initially be a wartime choice on the part of rebel groups on how to engage with the people in their milieu has the force to catalyze regime change at the centre once the war has come to an end,"[17] where "variation in postwar regime outcomes has wartime origins."[18] This is particularly true where rebels may be "heavily reliant on civilians for war-fighting support", who may thus become politically mobilized in ways they weren't prior to the conflict.[19]

Furthermore, based on what Huang references as "rebel statebuilding theory", rebels who rely on civilians for their survival will develop diverse governance structures (for example taxation, law and order, elections, etc.) to maintain legitimacy and "regulate resource extraction from civilians" and would thus be incentivized to maintain such structures following a conflict.[20] In the case of Yemen, such a statement is more relevant to Houthi governance, but in some instances it may also be relevant to AQAP, particularly when the group has engaged locals in different aspects of governance that may have been lacking previously.

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11   ibid., 351.
12   ibid., 353–5.
13   ibid., 351.
14   ibid., 363–4.
15   Huang, 2016: 9.
16   ibid., 2.
17   ibid., 2.
18   ibid., 4.
19   ibid., 9.
20   ibid., 10.

Rebel governance is also examined at length by Mampilly, who highlights cases such as Renamo in Mozambique, FARC in Columbia, and Rwenzururu in Uganda, as well as others in Angola, Indonesia, Israel, Nepal, Russia and Sri Lanka.[21] He notes that insurgent leaders must establish a dominant, coercive apparatus, but also require consent from the civilian population (hegemony).[22] How rebel governance will unfold is also the product of two conditions present at the onset of fighting: "the nature of the pre-conflict relationship between the state and society and the ethnic composition and ultimate strategic objective of the group" which will "shape the rebel command's preferences for a civilian governance strategy as well as the initial design of its civil administration."[23] In the case of Yemen, of prime focus is the relationship of Ali Abdullah Saleh with Yemeni society, informed by his presidency from 1978 to 2012, which ended with his resignation prompted by the Arab Spring. The second condition is related to the broader political environment as "governance structures and practices are constantly transformed over the course of a war by a variety of conflict-produced dynamics endogenous to the fighting."[24] These may include issues within the organization itself, civilian communities, the actions of incumbent governments, transnational actors and issues, and other social and political actors in these areas. The agency in a specific context rebel groups may have is also directly impacted or restricted by the actors with whom they are forced to interact.[25]

Mampilly also highlights three essential 'goods' required as part of this "effective governance": some force able to provide security and stability to the population; a dispute resolution mechanism; and public goods that extend beyond security.[26] All three of these essential goods have been provided by AQAP. As will be demonstrated, AQAP is a largely localized organization which has operated in a country where the central government has long been viewed as neglecting expansive regions in the country. AQAP has also at times interacted in different ways with some local actors, such as tribes and local councils, shaping its own actions and behaviours in relation to these relationships. Its membership has also increased, and though in recent years the group has been weakened, this still highlights increasing post-war implications for governance in Yemen, particularly as some of its efforts increasingly reflect that of an insurgency as opposed to a solely terrorist organization.

The Trend of Terrorist Governance Amongst Jihadist Groups

A significant number of Islamist militant organizations, including those that are overtly jihadist, have engaged in this type of governance. The most well-known of these is ISIS who has thus far proved to be the most successful in both scope and longevity.[27] The Taliban[28] and Hamas[29] initially began as non-state actors, but have also held and administered territory as governing actors. The equally recognizable Hezbollah has been folded into Lebanese politics and has become

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21   Mampilly, 2012: 3.
22   ibid., 8.
23   ibid., 16.
24   ibid.
25   ibid.
26   ibid.
27   Caris and Reynolds, 2014.
28   Johnson, 2013.
29   Berti, 2015.

a provider of social services.[30] Al-Shabaab is well known for its governance works in Somalia in areas under its control, including in courts,[31] while Boko Haram has focused little on governance in parts of northern Nigeria, instead implementing harsh interpretations of Sharia law and focusing on population control through fear.[32]

In short, there is nothing new or novel about terrorist governance, particularly among jihadist groups. It is often functional, whereby it aims to challenge the legitimacy and support for local authorities through the provision of services often provided by legitimate government actors. The degrees of this governance vary greatly in scope, duration, actors and implementation. Such governance is often attempted and implemented in areas that are experiencing human security and governance shortfalls, often during conflict, and can interact to differing degrees with other local actors such as tribes. The extent of this governance may also have clear implications for post-conflict actors. The next chapter will specifically look at how this has unfolded in the case of Yemen and AQAP and what this means for security considerations going forward.

30   Wiegand, 2016.
31   Hansen, 2013.
32   Ladbury et al., 2016.

Al-Qaeda's Long Shadow in Yemen

Al-Qaeda has had a presence in Yemen that long preceded 9/11, which highlights the longevity and evolution of the organization. A dual attack in 1992 on the Gold Mohur and Aden Mövenpick hotels is considered to be the first al-Qaeda-linked attack against the USA. A subsequent attack by al-Qaeda on the USS *Cole* in the Port of Aden in October 2000, which killed 17 crew members and injured 39, remains the deadliest attack against US personnel in the country. After 9/11, numerous al-Qaeda links to the country also emerged. In 2006, 23 key al-Qaeda figures escaped from a Sanaa prison, and in 2009, Saudi and Yemeni al-Qaeda elements established AQAP.[33] Al-Qaeda also has a history of targeting internationals in the country, as seen with a 2007 attack on Spanish tourists that killed ten, a 2008 attack on the US embassy, and a 2009 attack on South Korean tourists that killed five, among other cases. AQAP has since been viewed as an international threat and at one point held the infamous reputation as the most dangerous branch of al-Qaeda globally. This was due to the abilities of its key bombmaker, Ibrahim al-Asiri (d. 2017), who threatened international aviation and concealed bombs in packages sent to the USA. Links to the *Charlie Hebdo* attack in Paris in 2015 also highlighted how the group still held international reach years later (this reach was only overshadowed by ISIS' global terrorist campaign).

However, the most significant threat from AQAP has been within Yemen, where its attacks have largely been focused on police, military and government targets, and more recently, Houthis, and the group has increasingly operated in a fashion more akin to an insurgency.[34] Attacks such as that in May 2012 on a military parade rehearsal, which saw 120 killed and 200 injured, or the brutal 2013 attack on a ministry of defence hospital, which killed 56, highlight just how deadly these actions could be. Worryingly, the group has also continued to increase its membership over the years, from only 300 members in 2009[35] to upwards of 7,000 members by 2018,[36] highlighting the continued and growing attraction of the organization. AQAP has thus emphasized both international aims and local ambitions, highlighting how both international and domestic streams must be addressed in any future counterterrorism considerations through distinct lines of effort. AQAP's internal dynamic within Yemen is the focus of this chapter, yet the interconnectedness of local dynamics with AQAP's ability to project itself abroad should not be overlooked.

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33   For a more detailed history of al-Qaeda in Yemen, see Johnsen, 2013; Koehler-Derrick, 2011; and Murphy, 2010.
34   See START, 2019, at the University of Maryland for greater detail on attack frequency and targeting.
35   Johnsen, 2013.
36   Analytical Support and Sanctions Monitoring Team, 2018.

Appealing to Local Hearts and Minds

Dating as far back as 2006, AQAP's predecessors have exploited popular grievances and emphasized jihad as a solution.[37]
As al-Dawsari notes, central state security structures in the country have historically been minimal if not fully absent in many tribal areas, and this security gap was often filled by tribes in the country who have a much stronger presence in rural areas.[38] Many of these tribes, she notes, had sought increased government security and service delivery in their areas,[39] noting the perceived demand for such services. AQAP in particular has been able to exploit these areas of weak or absent government presence, even as local communities have called for more government support to fill these gaps.

There has been a perception that some tribes have partnered with AQAP to achieve various ends. These have included for near-term interests, where from a tribe's perspective, "a working relationship with AQAP can mean an ally against any government, warlords, or other tribes, and does not necessarily mean they agree with AQAP's principles and objectives."[40] Kendall has discussed this in terms of an 'understanding' with local tribes, nurturing this through marriage and kinship ties. In cases where tribesmen have accidentally been killed in operations, AQAP has also in some cases provided the payment of blood money and issued formal apologies.[41] While al-Dawsari pushes back on the idea that tribes have been key to AQAP's success thus far in Yemen, she does note that among foreigners and urban Yemenis, AQAP has been able to recruit individual tribesmen to the group by tapping into local discontent. In addition, she highlights how AQAP has been able to offer even relatively unobservant persons an outlet for their poor economic prospects, lack of development, feelings of isolation or injustice in society, or grievances (deaths of family members or friends) via counterterrorism efforts or Houthi attacks in the country. Joining AQAP further drives a call to action and allows such people an outlet to reclaim their dignity and seek justice, essentially exploiting local discontent for recruitment purposes.[42]

Furthermore, AQAP have provided very practical assistance and responses to "the economic, social, and emotional needs of frustrated tribal youth." These have included helping "tribal youth who join [AQAP] build their own homes, get married, and receive decent stipends, sometimes reaching thousands of dollars." Perhaps most importantly, however, AQAP has offered them a "sense of purpose and a way to become influential in their communities."[43] AQAP has further been able to communicate this in very locally resonant ways, such as through the use of poetry, which can further connect with local communities, and solidify jihadist identities,[44] or drawing on their tribal identity to align themselves with local communities.

This is of direct relevance to the issue of terrorist governance then, as AQAP attempts to portray itself as a governing alternative and in fact seeks to redress and correct local grievances. Such governance can in fact help secure commitment and dedication to the group, even from those that may be non-ideological in

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37   Koehler-Derrick, 2011: 41.
38   In some cases, tribal figures were also members of the state's security apparatus as well.
39   Dawsari, 2018.
40   Cigar, 2018: 11.
41   Kendall, 2018: 6–7.
42   Dawsari, 2018.
43   ibid.
44   Kendall & Stein, 2015.

their attraction to AQAP. Furthermore, in what is the Gulf region's poorest and least developed state, it is not difficult to see how recruitment could be incentivized through economic or material means, particularly as the country has slipped further into conflict, instability and economic turmoil. Recruitment in this sense can be very political and practical, and through its governance it is able to appeal to a wider portion of society's youth, who may share similar grievances and hardships. It has also been suggested by some authors that the lack of governance by Islamic State in Yemen (ISY) contributed to its failure to integrate into and gain support from local populations.[45] This demonstrates the importance of governance work for preventative efforts, such as stopping groups like ISY from gaining influence in the country.

What further becomes clear when considering AQAP's history in the country is that AQAP has had two primary strategic tracks and must thus be assessed in terms of its unique international and local ambitions. The first track is a focus on international targets or the 'far enemy', whether trying to blow up planes en route to the USA, kidnapping foreign tourists or targeting foreign embassies or citizens. Yemen was also notable as the first al-Qaeda branch that successfully reached out to an English-speaking audience as seen through Samir Khan, Anwar al-Awlaki and such publications as *Inspire*, which promoted attacks against the West, including lone wolf attacks. The second track has focused more locally. While in its early days the size and actions of the group gave it a more explicitly terrorist organization label, as its membership has grown and its tactics expanded to more population-facing approaches through governance, and as it continues to prioritize government and security targets, it also increasingly resembles an insurgency within the country that utilizes terrorism as a key tactic. Such evolutions have clear implications for response to the group today and in the future. But first, it is prudent to further clarify the scope and scale of this governance historically. This shift to governance in the organization was first seen at a larger scale in 2011 in the cities of Jaar and Zinjibar.

Jaar and Zinjibar 2011 and 2015

Following the impact first seen in Tunisia, Egypt and other countries in the region, in 2011 the Arab Spring reached Yemen as well. Thousands of protesters gathered in the streets in February demanding the fall of the regime. When Saleh's forces killed 52 and injured 300 peaceful protesters on 18 March, a day of reckoning had come. His former ally General Ali Muhsin al-Ahmar abandoned the Saleh regime and sided with the protesters, taking half the Yemeni armed forces with him. This mass defection left a significant gap in Saleh's forces in the capital, where he was facing increasing pressure daily from those seeking his departure. As such, his forces from around the country were recalled to the capital – or simply abandoned their posts. There is also a perception held by some Yemenis that Saleh intentionally withdrew these troops to demonstrate to international actors that protests in his region would allow Yemen to fall into the hands of AQAP.[46]

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45   Kendall, 2019: 79.
46   Thank you to Nadwa al-Dawsari for highlighting this point.

AQAP had for some time been seeking to establish an Islamic State in southern Yemen. Examples of some aspects of governance, including justice and education, date back to at least 2009 when AQAP worked to mediate tribal disputes. In 2010, due to a lack of local teachers, Fahd al-Quso (wanted by the USA for his role in the USS *Cole* bombing) had offered to help bring teachers to Rafadh (in Shabwah province), where even basic education was unavailable to local people.[47] However, AQAP had been dissuaded by Osama bin Laden, who believed the group did not have enough public support. The situation in Sanaa and beyond changed that equation.

In April, Adil al-Abab, AQAP's chief cleric, announced that the group had seized power in Jaar and stated, "The largest problem that we face here is the lack of public services such as sewage and water, and we are trying to find solutions." Al-Abab noted that they had "full plans for projects we want to achieve for the people. We want to make contracts with investors so as to arrange these affairs."[48] Trying to distinguish itself from past errors and grievances that the group had generated in the country, it also engaged in a rebranding exercise (a common practice for the group), naming itself Ansar al-Shariah ('The Supporters of Islamic Law'). Abu Zubayr Adel, Sharia official for AQAP, stated, "The name Ansar al-Shariah is what we use to introduce ourselves in areas where we work to tell people about our work and goals." Adel further noted that in places such as Abyan, AQAP had "moved our work from the elitist work to the populist."[49] What is perhaps most interesting in relation to governance is his statement that even in areas that AQAP had some control or influence, it may not be "open or fully visible because we lack the administrative staff and financial resources that would make us able to provide services to the people."[50] This suggests that highlighting their presence was only seen to be worthwhile when they would be seen to be providing effective security and governance works.

In March 2011 Ansar al-Shariah announced over the radio station Abyan its establishment of an 'Islamic Emirate' and renamed the city of Jaar to 'Islamic Emirate of Waqar.'[51] Here state security forces had put up little resistance when the group moved in and it quickly seized the city.[52] Abd-al-Nabi (otherwise know as Abu-Basir al-Yazidi), who was described as "the field commander of the mujahidin in Jaar District", stated in an April 2011 interview, "The state has fallen here. If we didn't take over, others will take over. We have tried secular rule and we have tried Socialist rule. Now we need to try Islamic rule because we have no hope but through the Koran and the Prophet's teachings."[53] Abyan, it is worth noting, had been victim to years of state neglect, particularly post-1986. Yemen at this time had also been increasingly moving towards a state of collapse, and frustration in the region was prevalent.

Abu al-Zabir, AQAP's religious leader at the time, also noted this governance had been established to "attract people to Sharia rule" in the areas they controlled, and was influenced by the Taliban in Afghanistan and al-Qaeda in Iraq (AQI). In fact, the BBC reported that

47   Worth, 2010.
48   Al-Abab, 2011.
49   ibid.
50   ibid.
51   This link to AQAP was challenged by some people connected to AQAP, who noted this takeover was the work of the Aden-Abyan Islamic Army, with which AQAP shared 'a common goal and belief.' BBC Monitoring, 2011.
52   This lack of resistance was alleged by some to be in collusion with the Saleh government, where Saleh would attempt to portray himself to outside actors as the only individual able to manage counterterrorism concerns in the country.
53   Media Feature, 2011.

many of those involved in Ansar al-Shariah at this time had themselves lived under Sharia law in Afghanistan or Iraq under these groups.[54] This suggests not only that they were able to learn from past errors, giving them certain strategic advantages, but also that they had seen clear benefits to engaging in governance, even when unsuccessful (as it had been in Afghanistan and Iraq). It was also noted by Major General Muhammad al-Sawmali, commander of the 25th Mechanical Division, that AQAP's cadres included foreigners, including Saudis, Pakistanis, Egyptians and Somalis. Others named had come from Chechnya, Uzbekistan, Algeria, Dagestan and Tunisia (via France).[55]

Alongside this statement by al-Zabir was an advisory to women to stay at home and to be accompanied by a male relative when in public; public gender segregation became a consistent theme in this governance in its various locations.[56] Similar to the many jihadist groups it followed, AQAP implemented Sharia law, including *hudud* punishments. However, it only implemented *hudud* gradually, after first educating the populace.[57] For those caught stealing, this could mean a public lashing or the amputation of a hand, even though funds were given to one such victim to "start a new life" subsequently.[58] AQAP also took over local radio stations in Abyan and Sa'dah in April 2011, calling for media experts and professionals to help run them.[59] Finally, according to one 'judge', the group also focused extensively on providing justice mechanisms, reporting that it resolved 42 cases in two weeks. Providing a formal justice mechanism also appeared to deter a spiral of revenge killings, according to Dawsari.[60] Yet, AQAP also conducted particularly brutal acts, such as the crucifixion of those accused of being spies. It was *hudud* punishments, such as amputations and crucifixions, that eventually turned local populations against AQAP.[61]

However, alongside the violence normally associated with the jihadist group in Jaar and Zinjibar, Ansar al-Shariah also began publicizing public works and services it stated it was carrying out.[62] These included distributing water in the strong summer heat and resolving complaints about stolen property, in some cases trying to recover the property for the aggrieved party. It also focused on more substantial infrastructure projects, such as digging water courses and establishing electrical lines for residences that had previously been denied receiving such services from the central government.[63] The group also reportedly installed sewage pipes, ensured there were teachers for local schools, ran the local police force, connected telephone lines and even collected garbage.[64] It delivered pamphlets warning against "usury in trade and money exchange" and the sales

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54   Al-Shishani, 2012.
55   Menas, 2014: 2. The number of foreigners has been disputed, as in 2017 AQAP claimed it only had five foreigners in its ranks for the previous five years. Kendall, 2019: 79.
56   Media Feature, 2011.
57   Al-Abab, 2011.
58   ibid.; Johnsen: 2013: 279.
59   Al-Abab, 2011. Such a call was also echoed by ISIS who called for professionals from all backgrounds, including the media, to help them administer the 'state' in Syria and Iraq.
60   Simcox, 2011: 62.
61   This local rejection of barbaric violence is one of the reasons why ISY was later unable to gain much support in the country.
62   There should always be a degree of scepticism when analyzing the positive works and services being carried out that are promoted by such groups. Even as these are being conducted by groups like AQAP they may be limited, small scale or in fact driving greater insecurity. Such insecurity could include populations fleeing the region, or increased military and security campaigns to degrade and defeat these organizations. In the case of Jaar and Zinjibar, for example, it had been noted by external analysts that up to 100,000 persons in the region had fled to Aden and Lahij due to the instability caused by AQAP. Organizations are likely to publicize themselves in a consistently positive light in order to attain support and membership. See Menas, 2012, for a discussion of displaced persons at this time.
63   Johnsen, 2013: 279.
64   Simcox, 2011: 62. For more extensive testimonials of citizens from Jaar and Zinjibar during this period see Simcox, 2011.

of "lewd" magazines and newspapers, and also warned against collecting taxes where only its distribution of 'zakat' to the poor was allowable.[65]

This was the first time al-Qaeda as an organization had been able to govern to a notable extent, but this also demonstrates that governance had long been on its mind. Preceding efforts had their roots in AQI, which had been active under Abu Musab al-Zarqawi following the US invasion of the country in 2004 and represented one of the most destructive forces during the insurgency. When al-Zarqawi was killed in 2006, AQI combined with a number of smaller extremist groups and renamed itself the Islamic State of Iraq (ISI), which announced its formation on 15 October 2006. ISI had explicit aims: to gain and hold territory, establish a caliphate, and provide governance following the departure of US forces. The framework it established included small public work projects; resources and care for families of deceased martyrs;[66] calls for foreign fighters around the world to join the cause; and the recruitment of persons with administrative and scientific backgrounds (an approach later promoted by ISIS).[67] However, this project was exceptionally limited in its scope and implementation, and local communities in fact rose up against ISI, particularly during the Sunni Awakening led by the Sons of Iraq. Instead, it was Yemen that proved to be the first notable success in this style of governance by al-Qaeda and its diverse branches and affiliates.

Local Yemeni forces, besieged in their bases in the area around Jaar and Zinjibar in this period, continued to attack Ansar al-Shariah forces, which had severely damaged infrastructure in the area, including hospitals, schools and mosques. Popular Committees (groups of local residents from multiple tribal backgrounds who come together to implement local security) also played an important role in preventing Ansar al-Shariah's further expansion to other regions and ultimately expelled the group from Abyan, a demonstration of the local rejection of Ansar al-Shariah governance.[68] In September 2011 General Ali Mohsen and his forces also pushed into the city to little resistance as Ansar al-Shariah cadres melted away into the local region.[69] However, Ansar al-Shariah still continued to hold some pockets of territory and to conduct diverse (though smaller scale) aspects of governance. It should be noted that the death toll of civilians, military personnel and fighters was in the hundreds in this period.[70] Even more damage followed in the wake of the Saudi-led intervention in 2015, compounding the previous damage, which had largely been left unaddressed. The grievances caused by such destruction in terms of persons, goods, livelihoods and infrastructure should not be underestimated.

Comparable to actions taken by the Taliban destroying the Bamiyan Buddha statues in 2001, by al-Qaeda's affiliates in Mali (AQIM) in 2012 when they destroyed nine Sufi shrines in the city of Timbuktu, and by ISIS, with its extensive cultural destruction in places such as Palmyra,

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65   Makram, 2015.
66   This practice of paying for the care and support of 'martyred' members, particularly those killed in US raids and drone strikes, is one which was also featured in Yemen and which continues to this day.
67   Fishman, 2016: 90. It's also noteworthy that ISIS too had its roots in AQI and its own state-building ambitions can also be traced to this period.
68   Dawsari, 2014.
69   Johnsen, 2013: 282.
70   Roggio, 2012. Major General Muhammad al-Sawmali, commander of the 25th Mechanical Division claimed that 600 "Al Qa'idah elements" were killed, alongside 80 of his troops. Another 600 were also injured. al-Sadmi: 2011.

AQAP also took to destroying local religious symbols. In 2012 a number of Sufi shrines and tombs in Jaar were destroyed, which was publicized by the group.[71] Also destroyed were the mosque of Sheikh Abdulhadi al-Sudi in Taiz in 2016 and different religious sites in Mukalla in 2015 and 2016.

The takeover of Jaar and Zinjibar was again repeated in December 2015, while the group simultaneously held the city of Mukalla. By this time Yemen was in the throes of the civil war and again Ansar al-Shariah capitalized on this chaotic period to seize the two cities. The initial entry into Jaar was reportedly due to AQAP's search for leaders belonging to Popular Committees, which had previously pushed back against AQAP onslaughts into the city and provided local security.[72] Four senior Popular Committee members were reported to have been killed in clashes with local actors trying to fill this security and governance gap, and their headquarters in the city were destroyed.[73]

While AQAP held Jaar only a few days before it withdrew, its presence in Zinjibar was more extensive. Here, reports of its 'hearts and minds' campaign were gaining coverage, including its move away from executing soldiers and the fact it allowed local government officials to operate as they had previously. Drawing from lessons learned earlier in Jaar and Zinjibar, a rebranding exercise took place in which AQAP renamed itself the "Sons of Abyan"[74] (a similar exercise took place in Mukalla). Local journalist Anwar al-Hadrami noted the group's more progressive approach in 2015 and contrasted it with the 2011 effort: "In 2011 al-Qaeda stormed military camps, stopped teachers from teaching some subjects, imposed a curfew during prayer times and strictly enforced Sharia law including amputating thieves' hands, executing murderers, and whipping those who commit minor crimes," he said.[75] Now, it was being acknowledged for its attempts to build water infrastructure, dig wells and provide residents with water – something crucial in such water-scarce country as Yemen.[76] The group was only able to hold on to Zinjibar sporadically from December 2015 and was finally pushed back from the city by Yemeni and Arab coalition soldiers in August the following year. However, its time there demonstrated an evolution in the group's approach to governance, which involved rolling back severe *hudud* punishments and increasingly trying to implement governance and infrastructure works for the local community.

Rada 2011–13

AQAP also focused on the city of Rada (population 60,000) in the province of Bayda in brief but notable spurts in a nature different than the direct holding and administration of territory as seen in Jaar and Zinjibar. Between 2011 and 2012 AQAP had conducted local conflict resolution, led largely by Tariq al-Dhahab (d. 2012), brother-in-law to the infamous AQAP English-speaking cleric Anwar al-Awlaki.[77] This had attracted support from local tribesmen as some

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71   ibid.
72   Almosawa & Fahim: 2015.
73   Al Masmari: 2015.
74   Al-Batati: 2015b.
75   ibid.
76   Fergusson, 2015.
77   In this case, Tariq al-Dahab had been embroiled in a family feud and had partnered with AQAP to gain leverage over his opponents – a clear case of tactical and political expediency. Al-Muslimi & Baron: 2017.

conflicts other tribal leaders were unable to resolve were successfully addressed. AQAP further supported this by providing blood money, which facilitated an end to these feuds.[78]

Starting in January 2012, AQAP took over the al-Amiriyah castle in downtown Rada for one week, an occupation that ended following tribal mediation and the release of fifteen AQAP prisoners in Sanaa.[79] This seizure of land also illustrates the practical leverage in negotiations, such as demanding the release of imprisoned members, the group may perceive such action provides. Local tribes had also mobilized their members to guard public facilities, including military camps, to prevent AQAP from taking over the whole city.

AQAP continued to have a sporadic presence in the city and, in 2013, there were reports of local residents, frustrated with local justice mechanisms, seeking out AQAP mediation to settle local disputes. One resident who had a land dispute resolved in this manner noted, "I went to Al-Qaeda and they were able to resolve the dispute. Since then, I have gone to them as an alternative to court."[80] Again, while such support should not be perceived as widespread, it must be acknowledged that an absence of public works and services is likely to increase some level of support for actors who are able to implement such things.

The group still held small pockets of territory in 2013, but it had withdrawn from the town after a prisoner release was negotiated via tribal mediation,[81] also highlighting the stronger negotiation position it may have perceived it had by holding territory. However, in September 2014, there was still an AQAP presence in Rada: on 26 September after Friday prayers the group led anti-Houthi protests in the streets with its supporters.[82]

Rada is an example of the often overlooked smaller aspects of governance conducted by the group. Yet, taken as a whole (as the list at the end of this paper demonstrates), there were numerous cases of small scale governance. Such aspects also allow the group to gain support and a positive reputation when seen to conduct governance works effectively.

Mukalla 2015

Mukalla has proved to be the most successful case of AQAP governance to date and also marked an evolution in its governance efforts in terms of implementation. Preceding its initial entry into the city in August 2014, AQAP militants looted the international bank in Mukalla, the provincial capital of Hadramawt.[83] Then, in April 2015, AQAP made its biggest gain yet and moved into the port city, population 300,000, relatively unopposed by local security forces. Its entry began with the release of 300 prisoners, including AQAP leadership figures Khalid Batarfi and Ibrahim al-Abyani, and a raid of the central bank of Mukalla in which it stole a total of approximately US$100 million. It further proceeded to overrun the local radio station,

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78   Thanks to Nadwa al-Dawsari for highlighting this point.
79   XINHUA, 2012.
80   al-Sakkaf, 2013.
81   Yemen Post, 2013.
82   Al-Mushki, 2014.
83   Yemen Post, 2014.

six army and security barracks and seized weapons in the city,[84] highlighting the material gains seizure of a city could bring. Over the course of the next month it took over a number of public buildings, including the airport and port.

Initially, AQAP had a much 'softer' entry into the city – black flags were not raised, music was allowed, and women were able to walk in the streets,[85] indicating the first evolution in its approach. The governance project it engaged in also became more sophisticated and evolved significantly over the course of the following year and further tried to expand a 'hearts and minds' approach it seemed increasingly to be embracing. It also engaged local partners in ways it had not done previously to themselves implement this governance.

Sons of Hadramawt and The Hadramawt National Council

By early May 2015, AQAP had again rebranded as the 'Sons of Hadramawt'. This group was comprised of local Hadrami families and positioned itself as the 'children of Hadramawt', rather than al-Qaeda,[86] thereby trying to align itself with a local identity rather than that of AQAP. The Sons of Hadramawt themselves did not govern; instead (and uniquely), they agreed to a political transition and left governance largely up to a locally established group named the Hadramawt National Council.[87] This Council otherwise had no link to AQAP, and had received a strong guarantee from AQAP that they would depart from Mukallah in one year's time.[88] This Council ran the city with a civilian body that included 60 unelected local members, and a power sharing scheme that saw a more hands-off approach in the day-to-day governance of the city by AQAP.[89] The Hadramawt National Council also reportedly had branches in Sheher, Ghail Bawazer, Shohair, Raida and Qusair also held by AQAP,[90] of which Sheher was the second most significant. Similar to the Hadramawt National Council, all local branches were comprised of locals who were separate from AQAP.[91]

The Hadramawt National Council proves to be quite an interesting case in relation to AQAP governance as it acted as a separate governing intermediary – conducting day to day governance for AQAP, while still able to engage outside political actors, including the President's office. While it was viewed by some as being another front organization for AQAP, others viewed it as a locally established council comprised of unelected local Sunni (largely Salafi) scholars, tribal leaders and other dignitaries. International Crisis Group (ICG) reported that the Council included local dignitaries and prominent non-AQAP Hadramis; and local members were appointed as religious police. Locals citizens were widely noted to view the Hadramawt National Council as an AQAP front and appeared to refer to them interchangeably, though the Hadramawt National Council was viewed as an "acceptable way to deal with the outside world."[92]

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84   Amr, 2015.
85   Batati, 2015b.
86   Al-Batati, 2015a.
87   Middle East Eye, 2015.
88   Thank you al-Batati for highlighting this point.
89   Amr, 2018.
90   Al-Batati, 2015a.
91   Thank you al-Batati for highlighting this point.
92   ICG, 2017: footnotes 42 & 46.

When the Sons of Hadramawt took over the city, the Hadramawt National Council secretary-general, Abdul-Hakeem bin Mahfood, stated that a delegation of locals who eventually formed the Hadramawt National Council approached AQAP with concerns that due to their presence the city would face military intervention, which would cause considerable damage to the city and its residents. They had seen the damage inflicted on cities like Ja'ar and Zinjibar after 2011 in government efforts to retake the city and did not want Mukallah to face a similar fate.[93] A subsequent negotiation and agreement between the two parties then saw the Hadramawt National Council manage the administration and security of the city, while AQAP stated that it would focus on fighting the shared Houthi threat – a point of considerable concern to local residents that increased the appeal and acceptance of AQAP's presence at this time.

The Council also claimed that President Hadi "praised the Council for its efforts in restoring peace and security in the city,"[94] and that Council members had met with both Saudi and Yemeni authorities to discuss their role in local governance in Riyadh. These interactions were led by Omar bin Shakal al-Jaidi, head of the Council, and were not widely publicized, likely due to the optics of government officials being seen to have contact with AQAP 'intermediaries'. Instead these were described more in terms of the Council 'passing a message' from Sons of Hadramawt to the Hadi government, rather than direct discussions or negotiations.[95] Yet, they are a clear example of government engagement and dialogue via a third party who had widely known relationship with al-Qaeda.

This interaction raises important questions about legitimacy and pragmatism in official engagements with non-state actors who may work through such local intermediaries, where groups like AQAP may feel they gain some legitimacy through such interactions. Yet, if such interactions also reduced civilian harm and suffering in such periods, as seen with the continuation of public services that were being carried out by the Hadramawt National Council, then such engagements had to be assessed in complex terms and raised prospects for some unique and limited dialogue with AQAP or parties associated with it.

Governance

The governance project established in Mukalla by AQAP was its most expansive yet in Yemen. AQAP also created a more sophisticated financial model than seen previously in any location in Yemen. It extorted money from the national oil company – $1.4 million according to an estimate by Reuters.[96] However, its management of the Port of Mukalla and the corresponding coastline proved to be its most profitable source of income. While the port was initially managed by the Council for a number of months (including the import of oil), Sons of Hadramawt eventually took direct control of the port. The taxation of goods and oil coming into the port earned the group up to $2 million per day, according to some reports,[97] though others have placed this more modestly at $700,000.[98] Sons of Hadramawt

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93   Thank you al-Batati for highlighting this point.
94   Al-Batati, 2015a.
95   Thank you al-Batati for highlighting this point.
96   Bayoumy, Browning & Ghobari, 2016.
97   ibid.
98   Trew, 2018.

also, from the onset, took control of all military and security facilities in the areas.

After the seizure of the airport and central bank, the Sons of Hadramawt returned both to Hadramawt National Council control and then even arranged for some of the money stolen from the bank to be reinstated to pay striking cleaners and civil servants, which was agreed to.[99] The Council also received money from fuel imported into the city and $3.7 million directly from AQAP.[100] Furthermore, in May 2015, the city's main port which had been controlled by AQAP, was also claimed to have been returned to the Hadramawt National Council.[101]

In an interview with ICG, one local resident spoke positively of the work of the council in the midst of the ongoing war:

> *"We view the [Hadramawt National] Council positively, because it has managed to continue to pay government salaries … It has kept public services at a much better level than what is available in the rest of the county … The AQAP judicial system is fair and swift and therefore preferred over the government's corrupt system. Many prominent cases that had lingered for years were resolved in a single day."*[102]

Due to the lack of government jobs at this time, an increasing number of people struggled financially. A local journalist observed, "Many suffered to feed their families and so even joined AQAP due to a lack of jobs just to get the pay cheque."[103]

During AQAP control of the city, harsh *hudud* punishments were not as publicized as those doled out by ISIS in Syria and Iraq at this time, who recorded and disseminated punishments widely and theatrically. However, local residents did state that journalists, radio presenters, opposition figures and religious figures, among others, were threated, detained or killed by the group. One local doctor reported seeing a woman accused of adultery stoned to death and noted that women had been heavily restricted in their movements.[104] The increased use hudud punishments were noted to start in later 2015, a number of months after Sons of Hadramawt moved into Mukalla.

As per most attempts by Islamist groups at implementing Sharia law, segregation of men and women became emphasized and unrelated males and females could not be seen together in public,[105] even if this was not the case initially. Religious policing was carried out by an organization called the Committee for the Promotion of Virtue and Prevention of Vice.[106] The Sons of Hadramawt also implemented a ban on *qat*, a local narcotic, seizing quantities from the local populace. It was the Sons of Hadramawt, not the Hadramawt National Council, who carried out punishments.

In total, AQAP ended up controlling an area of 700km, stretching from the border with Oman to Aden and containing multiple town centres, particularly in the southern coastal region. AQAP also launched a

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99   Middle East Eye, 2016.
100 Al-Batati, 2015a.
101 BBC Monitoring, 2015.
102 International Crisis Group, 2017.
103 Trew, 2018.
104 ibid.
105 Amr, 2015.
106 Zimmerman, 2015: 21.

social media campaign promoting its public works in the city. AQAP's Twitter account reportedly featured their governance works in 56 per cent of their 2016 Tweets, emphasizing the community development carried out by the group.[107] Through the Al-Ather 'news' agency Twitter feed, the group highlighted handing out food to the needy and showed itself improving on local electrical access, street work, and management of public waste in garbage trucks.[108] Locals had also praised the quality of public works such as road works, the speed in which they were implemented, and the lack of corruption by local contractors in doing so (who could face severe punishment for corruption or poorly conducted work).[109]

Departure

While local populations had praised the services carried out in the city, it was hudud punishments and corruption that increased local resistance to the Sons of Hadramawt. On 12 October 2016 locals came out to protest AQAP's corruption and presence in public marches, which included chanting and carrying anti-AQAP banners. By this time, AQAP had also further sidelined the Council and had largely cut ties with them.[110]

AQAP's departure from the city was also noteworthy and raises important considerations for future interactions with the group. Investigative reporting by the Associated Press highlighted that the group's withdrawal from Mukalla and a subsequent six towns in southern Yemen had actually been negotiated. As part of these negotiations, AQAP would pull out of the city (taking with it guns and other loot it had seized), the USA would not conduct strikes on the departures, and 10,000 local tribesmen, including 250 AQAP militants who had 'repented', would be integrated into UAE-backed Security Belt forces.[111]

By 2018 the UAE had admitted that it had, after what it stated was extensive vetting, allowed some low-ranking AQAP youth into its ranks for pragmatic reasons, including winning over the population and reducing the number of AQAP members.[112] Brigadier Ali, a UAE commander in the counterterrorism operation, noted, "When we cleared al-Qaeda out of urban areas, they left behind many of these men and it made sense to recruit them, because it sent a powerful message about the Yemeni commitment to liberation."[113] This governance in Mukalla that ended in 2016 was AQAP's last major and prolonged effort at governance at the time of publication.

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107 Kendall, 2018: 7.
108 Joscelyn, 2016.
109 Thank you al-Batati for highlighting this point.
110 Thank you al-Batati for highlighting this point.
111 Michael, Wilson & Keath: 2018.
112 Kendall highlights how AQAP tried in multiple statements in 2017 to dissuade tribes in Hadramawt from joining UAE forces. Kendall, 2018: 11.
113 Trew, 2018.

Implications for Security in Yemen

The literature on terrorist and rebel governance discussed in the second section highlights the importance of wartime activities of non-state actors for determining post-war outcomes. While in the case of Yemen wartime activities by the Houthis and other state-oriented actors will have the greatest impact on post-war outcomes and long-term stability in the country, the primary consideration for this report is the governance activities of AQAP since the Arab Spring. In contrast to fully fledged rebel governance seen in countries such as Columbia, Sri Lanka and others highlighted at the beginning of this chapter, the case of AQAP discussed above provides a comparatively small-scale phenomenon in governance. However, the group remains important for a number of reasons (to be highlighted in this section) for post-war considerations in the country. These four considerations have as much to do with understanding the strategies and aims of the group itself as they do with how counterterrorism is conceived and conducted on a broader scale in the country. Similarly, these considerations are relevant when looking beyond the borders of Yemen to other countries where jihadist groups have attempted or successfully conducted governance.

Future Governance Ambitions

AQAP demonstrates that there is indeed a longstanding, global and growing trend of jihadist groups seeking to implement governance that must be accounted for. Though the early efforts by AQI and then AQAP in 2011 preceded the rise of ISIS and the most successful governance project globally, there are now multiple cases around the world of diverse jihadist groups attempting to implement governance as part of their overall strategies. AQAP governance has appeared to be impacted by a number of factors.

One factor is the experience of some of its more senior members of living under Sharia law as enforced by the Taliban in Afghanistan and AQI in Iraq, and the perceived appeal of this intergenerationally. This raises important questions, particularly after AQAP's own successful instances of governance in Yemen and that of its competitor ISIS in Syria and Iraq: the perceived appeal and benefits of state-building may encourage the group to embrace this further in future. This would fall in line with its country-focused ambitions and could be utilized to regain support and membership, even as AQAP maintains some focus on international targets. In addition, it has been pragmatic in its approach, aiming at winning the hearts and minds of the population, versus co-option of locals through fear and force. As highlighted by the UN al-Qaeda monitoring team in 2018, "Against the backdrop of a security vacuum and a lack of public services in many areas, AQAP sponsors and participates in public activities, seeking to build a reputation for humanitarianism and governance."[114]

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114   Fitton-Brown, 2018.

The perceived benefits of governance would also have to be embraced and acted on by current AQAP leadership. Even though Mukalla was seized under the direction of Nasser al-Wuhaishi, he was killed in June 2015 and replaced by Qasim al-Raymi, the present head of AQAP. Currently the group is at the weakest it has been in many years due to a number of high-profile deaths, continued targeting by the Yemeni military and US forces, reports of al-Raymi's ill health, and increased clashes with ISIS (which, in the case of Bayda, have actually contributed to diminishing ISY).[115] However, due to its stance against the Houthis, AQAP has still been able to attract new members and support by positioning itself as a defender of local communities against Houthi incursion.[116] As such, other pursuits are likely to be prioritized in the short and medium term, including regrouping and rebuilding resources and support. However, as long as there is a gap in governance that the group believes it can exploit for its own advantages, then such an approach will likely remain a viable option for AQAP as it continues to seek local support and membership. All actors with a security interest in Yemen must account for this potential continued aim of the group.

Full Spectrum Counterterrorism

This shift towards governance has implications for full spectrum approaches to counterterrorism. Full spectrum approaches include both 'hard' or 'direct' and 'soft' or 'indirect' lines of effort that must work together cohesively. Direct efforts include military, defence, law enforcement and criminal-justice approaches, dealing with the more immediate threats through appropriate means and mobilizing a security concern. Indirect approaches include more preventative efforts to deter the recruitment of persons in the first place and other steps taken to lessen the appeal that terrorist groups may offer to potential supporters or members. Indirect approaches often fall under the scope of countering violent extremism (CVE) or preventing violent extremism (PVE) approaches, and can include a broad array of initiatives, including education, development and good governance, to name but a few. Groups such as AQAP seeking to undertake governance have had significant implications for how an overarching counterterrorism strategy in the country should develop. As I've highlighted elsewhere,[117] this means that those involved in balancing, co-ordinating and implementing diverse streams of effort must be constantly aware of the impact and implications of one stream on the others. However, this proves particularly complex.

AQAP was able to recruit some members based off its exploitation of local grievances, perceived lack of opportunities and scarce government services. As such, a long-term comprehensive approach to tackling terrorism in the country must account for good governance, economic development and effective state justice mechanisms, among other indirect approaches. While this must be owned and led by the Yemeni government at the national and regional level, international partners can directly assist in this work. Such endeavours should focus on engaging local partners and tribes through formal government institutions, and strengthening local relationships with the government. In addition to basic good governance for the whole

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115   Kendall, 2019, further elaborates on a discussion of this rivalry between AQAP and ISY.
116   AQAP activity against the Houthis was particularly overt in locations such as Taiz and Aden.
117   Cook, 2019.

population, such work should also involve further aspects, such as capacity building, leadership, job skills and empowerment for groups that have often also been marginalized, such as women and the youth, who can further assist in reducing such grievances in society.

However, there is an important note to make in relation to this: while such work may be directly understood to help reduce local grievances and thus dry up the pool from which AQAP may be able to recruit, such efforts should not be overtly viewed or labelled as counterterrorism. In fact, the importance of such programming in and of itself should be highly regarded and valued in society, recognizing the additional economic, social and other benefits it may provide for societal stability more broadly. Security funding, training and material support (particularly that linked to counterterrorism) can ebb and flow with the perceived threat in a country, risking sporadic support for such work. As such, indirect efforts are often long-term in their focus.

Local partners implementing this work may also face threats if they are seen to be associated with counterterrorism, which is viewed much more negatively because of its relationship with drone strikes and airstrikes, and the recent counterterrorism activities conducted by the UAE in the country. Long-term security and stability should thus instead ensure long-term, consistent funding and support for such work in enabling good governance and economic development, while avoiding the controversial, even problematic labelling of programs as 'counterterrorism' where possible.[118]

Rights-based, Accountable Counterterrorism

Human-rights-based and legally compliant approaches to counterterrorism are fundamentally important for the perception, legitimacy and efficacy of state actors and their work. These relate to the perceived legitimacy of the Yemeni government and other foreign actors conducting counterterrorism operations in the country, both of which can contribute either to intensify or to lessen grievances against the state (and its partners). It should be recognized that defence-related efforts tend to dominate the overall perception of programming in a country, even if development, humanitarian assistance and other forms of support may also be present. As such, when defence efforts are correlated with injustices in the minds of local populations, this may generate sympathies for groups like AQAP and continue to feed into future recruitment, while also tainting indirect efforts such as governance and development work.

In Yemen, there have been many instances of problematic or highly contested counterterrorism practices related to the state and its partners. This could be seen, for example, with US drone strikes in the country, which have killed upwards of 1,384 persons (including 225 civilians and 50 children), persons who have not faced trial.[119] As I highlighted in 2017, the gendered, secondary and tertiary impacts of such policies are not generally acknowledged. Where primary male breadwinners are killed and large families are left behind, AQAP has aimed to provide succour, trying to earn local support in grievances generated by US actions. The intergenerational grievances caused

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118   For further discussion, see Cook, 2019.
119   The Bureau for Investigative Journalism, 2019. For further discussion of the gendered implications of counterterrorism in the country, see Cook, 2017.

by such actions must also be acknowledged. It is notable as well that the highest rate of US strikes in the country was very recently, in 2017, and still largely weigh on local perceptions of the US. More recent reports from 2018 have also implicated men who were essentially US mercenaries in an 'assassination program' run by the UAE in Yemen that targeted a number of al-Islah members, clerics and terrorists.[120]

Reports that came out of Mukalla in 2017 also highlighted significant concerns of human rights violations by UAE troops in secret prisons around the country. Here, up to 2,000 men were reportedly swept up and detained in the search for AQAP militants. Information about these individuals was not made accessible to their families. Former inmates also described unsanitary conditions, abuse and even sexual assault at the hands of UAE or UAE-backed forces.[121] Human Rights Watch further documented at least four children who were detained or forcibly disappeared.[122] Such transgressions should be fully investigated and any wrongdoing held to account in order to ensure local populations can maintain trust in Yemeni authorities and their partners.

These concerns echo many of the negative legacies of US counterterrorism in the early years of the Global War on Terror, ones that still cast a long shadow on US efforts today.[123] Such actions by these international partners reduce local support and perceived legitimacy for the Yemeni government and drive grievances that some may seek to reconcile through membership or support of such groups as AQAP, which may be regarded as defending them. Compounded with a 'hearts and minds' approach from AQAP, it is likely that support for AQAP will increase if the Yemeni government and its partners do not uphold human rights in their security operations. Furthermore, in the past counterterrorism operations have been instrumentalized by the Saleh government for their own political aims. Such cases include the 2010 killing of Jabir al-Shabwani, a prominent tribal sheikh and deputy governor of Marib province, after Saleh fed misleading intelligence to US forces.[124]

A Nuanced Approach to AQAP

The growing membership of AQAP over the years indicates that the group continues to hold attraction and appeal to persons from broad backgrounds who will have different motivations to join or differing levels of support for the organization, and who may hold diverse roles within the organization. Such diversity necessitates a complex approach to counterterrorism.

The cases where governance has been implemented by the group have demonstrated how some people may join or support AQAP for pragmatic reasons, such as to earn a wage to feed their families or the perceived justice the group has delivered, while others may join for more ideologically motivated reasons. As the war against the Houthis has continued, AQAP has also positioned itself alongside anti-Houthi forces and has been able to draw some support from its stance as a defender against the Houthis, particularly in Aden and the southern region in 2015. The level of threat and concern from each person

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120 Roston, 2018.
121 Michael, 2017.
122 Human Rights Watch, 2017.
123 This sentiment is also echoed by Hartig, 2018.
124 Entous, Barnes & Coker, 2011.

will differ substantially based on their motivation to join or support the group.

Viewing AQAP in all its complexity can help us better conceive of the group and distinguish between what may be hardcore, ideologically-motivated and dangerous supporters and those who may be weaned away from support for or affiliation with the group. Responses to each sub-category of member must reflect this diversity. This may include (as appropriate) considerations of disengagement, deradicalization and reintegration for low-level members who have not been implicated in serious, violent, criminal activities; kinetic and criminal justice options for immediate and serious threats; and an emphasis on responding to local grievances, which can reduce support for the group. In short, a kinetic-dominated approach will likely be ineffective and even counterproductive in lessening long-term support for the group. It risks targeting an ever widening pool of varied supporters.

Ideologically committed terrorists with ambitions to conduct mass violence in Yemen or abroad and those who instead support AQAP based on local and personal needs or grievances to differing and lesser degrees should not be approached through similar means. While acknowledging the concerns in terms of optics of government partners talking to or engaging with 'terrorists' and the concerns related to lending such groups any degree of legitimacy by engaging in discussions with members, such approaches are pragmatic, long-term and proactive in their approach and ultimately aim to improve public safety and security.

Finally, the inclusion of previously neglected local and tribal figures can prove to be particularly beneficial. The increased engagement of and consultation with relatively neglected actors such as women, youth and members of civil society through formal government channels when developing or implementing full spectrum counterterrorism activities may help create new nodes of trust between governments and communities. It can also ensure that the needs and concerns of all aspects of society are considered and accounted for in these practices.

Women and the youth are key demographics that have historically been neglected in this space, even though youths are most at risk for having their futures frustrated, a likely situation in an unstable Yemen where conflict continues, and terrorism remains frequent. Women may also suffer disproportionately from the instability that high levels of terrorism and conflict more broadly brings, and their needs and considerations may be overlooked in the development and implementation of counterterrorism policies and practices. Women also play influential roles in the family and in community roles, including mediation, which can help prevent local conflicts from escalating.[125]

Alongside local figures who have previously felt neglected by state actors, youth, women and civil society should be actively engaged, considered and consulted in all full spectrum approaches to counterterrorism. Whether these approaches include giving youths the tools to help reduce appeals by terror groups, or focusing on addressing local grievances in their communities, or involving women in the consultations and implementations of security

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125 Cook, 2016.

strategies across the country, these old and new faces and broad perspectives can ensure that society at large is engaged and has a stake in countering this concern and improving public safety and security. It can further ensure that counterterrorism efforts do not disproportionately impact these populations, thereby increasing local grievances.[126]

Both the US and UAE have also made extensive efforts over the years to train up Yemeni security forces – a key component of good governance and local security. While the US has historically emphasized training and equipping counterterrorism-specific forces, the UAE has more recently been training up security forces across the country (particularly in the south) and leading counterterrorism operations. This includes approximately 90,000 security forces from units such as the Yemeni Security Belt forces.[127] In such cities as Mukalla, local police have been trained, some enlisting in response to the activities of AQAP in the city, including the murder of local security forces.[128] Lessons can be gleaned from this in terms of best practice and accountability to local communities, including new actors who may not have historical or damaged relationships to the previous Saleh government.

State security forces were largely perceived to abandon towns like Zinjibar and Mukalla when AQAP entered these cities; rebuilding local trust will take time. Furthermore, these forces remain relatively young, inexperienced, and heavily dependent on UAE support. However, bringing new faces into security forces, such as women, also provides an important outlet for all members of society to feel like they have access to these security forces. Forces that have participated in controversial practices or abuses and violations of human rights must also be held accountable in order to rebuild trust with local communities.

Conclusion

For Yemen, the most important step to reducing present and future concerns from AQAP is to end the current war. As long as such instability continues, AQAP and other non-state actors, such as ISY, will seek power, influence and a safe space from which to regroup and grow.

While military and police-dominated efforts will likely continue to be required to address immediate concerns from AQAP and other actors in the country, a thoughtful, long-term and balanced full-spectrum approach to security in the country will emphasize the importance and value of multiple streams of effort. Such an approach will recognize that diverse actors have a stake in a unified approach to security. Ensuring these diverse streams of effort, including defence, diplomacy, governance, the economy and development elements, work cohesively together towards similar ends and meaningfully engage a broad array of stakeholders – including local tribes, civil society, women and the youth, among others – will be crucial to the full-spectrum approach's success. Such a strategy will further ensure that these streams of effort are

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126   Cook, 2019. See also Huckerby & Fakih, 2011.
127   France 24, 2019.
128   Trew, 2018.

given suitable elevations in importance and receive the required sustained funding and resources to support them. This report can help inform and shape long-term efforts to prevent and respond to terrorism specifically, and security and stability more broadly, in the country.

Beyond the case of Yemen, the themes discussed above are also increasingly relevant to other regions where jihadist actors have implemented governance to differing extents, including in Afghanistan, the Philippines, Somalia and Nigeria, to name but a few. Iraq and Syria perhaps highlight the most potent cases, where ISIS has conducted the most successful case of jihadist governance in history in states that continue to face insecurity; reconstruction and recovery remain painfully slow, where they occur at all. Here, governance gaps and shortfalls have created opportunities for non-state actors to step in, exploit these grievances, and seek support and legitimacy and will likely continue to do so for the foreseeable future.

Rebel governance has been a longstanding phenomenon and has impacted on and influenced many countries. The specific trend of governance by jihadist actors is one that is rising in importance, geographical dispersion and frequency and must be accounted for in long-term efforts to prevent these groups from gaining support and membership. There is an ongoing competition for hearts and minds and many governments, as well as the partners who support them, are falling short.

Appendix: Cases of Diverse Instances and Extents of AQAP 'Governance' in Yemen

The term 'governance' is defined in Chapter 1 and should be considered in terms of distinct activities and degrees of influence and control that AQAP held at the time. For example, some cases of governance included activities promoted by the group as simple as handing out food, or providing mediation or justice mechanisms. However, the list below demonstrates how widespread and continuous these efforts have been. Jaar, Zinjibar and Mukalla remain the most prominent examples of overt seizure and administration of territory thus far by the group.

It should be noted that two significant political events occurred in 2011 and 2015 when AQAP was able to take advantage of the resultant instability in the country: the 2011 Arab Spring and 2015 onset of the current conflict in Yemen. As seen below, these years and those that followed have the highest frequency of governance attempts by AQAP.

2011

- Jaar (Abyan)
- Al Koud (Abyan)
- Lawdar (Abyan)
- Shaqra (Abyan)
- Zinjibar (Abyan)
- Azzan (Shabwa)

2012

- Radaa (Bayda)
- Azzan (Shabwa)

2013

- Al-Mahfid (Abyan)
- Radaa (Bayda)
- Azzan (Shabwa)

2014

- Hadramawt valley (Hadramawt)
- Tabha area, Haridha city (Hadramawt)[129]

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129 Handing out pamphlets and advising behaviour, but lack of meaningful control.

2015

- Jaar (Abyan)

- Zinjibar (Abyan)

- Aden (Aden)

- Radaa (Bayda)

- Al-Shihr (influence; Hadramawt)

- Ghayl Ba Wazir (influence; Hadramawt)

- Mukalla (Hadramawt)

- Al-Houta (Lahij)

- Taiz (Taiz)

2016

- Ahwar (Abyan)

- Lawdar (Abyan)

- Mahfad (Abyan)

- Shaqra (Abyan)

- Aden (Aden)

- Al-Houta (Lahij)

- Azzan (Shabwa)

- Habban (Shabwa)

- Taiz (Taiz)

2017

- Azzan (Shabwa)

- Lawdar (Abyan)

- Taiz (Taiz)

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