



**The April 27, 2003
Parliamentary Elections in
The Republic of Yemen**



-- Prepared by the National Democratic Institute for International Affairs

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Most importantly, we wish to express our admiration and respect for the many men and women who are contributing to the development of democracy and civil society in Yemen. They are an inspiration to democrats throughout the region.



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EXECUTIVE SUMMARY

The April 27, 2003, elections represent an important step on Yemen's path toward democracy. The national voter registration campaign which preceded the elections and the technical administration of the elections were significant improvements over past elections. The efforts of the Supreme Commission for Elections and Referenda (SCER) are to be commended and the largely successful initiatives of political parties and civil society organizations to reduce election day violence also deserve praise. However, serious electoral violations occurred in a significant number of voting centers and sustained and forceful efforts are necessary to remedy persistent flaws in the country's electoral and political processes.

The April elections for Parliament were the third national legislative elections since Yemen's unification in 1990. Nineteen political parties fielded 991 candidates, who, along with 405 independent candidates, competed for 301 parliamentary seats. Over 8 million Yemeni citizens registered to vote, and the number of registered women voters increased from 1.8 million in 1997 to 3.4 million for the 2003 elections. In the current database women make up 42 percent of Yemen's registered voters. Women cast 41 percent of the votes on election day. Despite these increases, the number of women in parliament declined from two to one, and the number of women at the highest levels of government also decreased from two to one.¹ Although there are two women in the appointed Shura Council, Yemen is no longer leading the Arab world in the election and appointment of women to national office.

According to official results released by the SCER, the ruling General People's Congress (GPC), the party of incumbent President Ali Abdullah Saleh, increased their majority in parliament, winning 230 of the 301 parliamentary seats. Including ten independents who affiliated with the party immediately after the elections, the GPC now holds 240 seats, up from 226 in the last parliament. The Yemen Congregation for Reform (*Islah*), a pragmatic, relatively moderate Islamist party, saw its seats reduced from 64 to 45. The Yemen Socialist Party (YSP), which ruled South Yemen prior to unification and boycotted the 1997 elections, now holds seven seats. The Nasserite Social Unionist Party won three seats (up one from the previous parliament) and the Baath Socialist Party continues to hold two seats. There were a total of 14 independents that won (including the ten which immediately joined the GPC); four of these remain independent. In sum, the GPC now holds 79.7 percent of the seats in the new parliament and the opposition holds 18.9 percent.

The Yemeni government should be commended for significant improvements in electoral administration since 1997 and the adoption of a greatly improved electoral law. It should also be strongly commended for its receptivity to domestic and international election monitoring. The elections commission registered over 25,000 domestic monitors, and international observers were encouraged and given full access to every aspect of the process. Political parties and independent candidates alike campaigned actively in the run-up to election day, and the environment at the polls was characterized by a sense of excitement regarding multi-party political competition. The decrease in election day violence compared to 1997 was also a very significant aspect of the 2003 elections. Most importantly, these elections were marked by enthusiasm and determination by Yemeni citizens to exercise their right to vote and freely choose their representatives.

¹ In recent years Yemen had one female Minister of State for Human Rights and one ambassador. After the April elections the female ambassador to the Netherlands became the Minister for Human Rights. She is the only woman in the cabinet and there is no longer a female ambassador.

Despite these improvements, however, the atmosphere of anxiety in the run-up to the elections caused by fears of violence, as well as heavy-handed and coercive measures on and after election day by elements of the ruling GPC in many polling stations across the country are troubling. There were credible reports of election law violations including political intimidation, underage voting, improper behavior by security forces, vote buying and obstruction by ruling party counting commissioners. Serious incidents were witnessed by the National Democratic Institute for International Affairs (NDI) delegates in Sanaa, Aden, Taiz, the Hadramaut and elsewhere around the country. There have also been reports of ruling party retribution against supporters of opposition candidates, especially against teachers and other civil servants. By-elections, which were held in four constituencies in July, were particularly flawed, with reports of commissioners actively encouraging or insisting that voters mark their ballots outside the booth, and numerous irregularities during counting procedures.²

Reports of misconduct and manipulation of the vote tabulation and the appearance of judicial bias during the appeal period also cast an unfortunate shadow over the elections. NDI recommends that a careful and open review of the elections law and legal procedures pertaining to election complaints be undertaken. Specifically, the Institute suggests the following steps be taken to build confidence in future elections:

- review of election complaints procedures
- clarification of the enforcement authority of the SCER before the 2006 Presidential and local council elections
- redrawing of political boundaries to bring parliamentary constituencies into compliance with a requirement that they be demographically balanced and equal
- correction of deficiencies in the voter registry
- adoption of impartial guidelines to achieve balanced political coverage in the news media
- review of the role of the military in elections
- a review of election law and procedures to remove or modify those aspects which inhibit women's ability to campaign effectively for public office
- implementation of voter education campaigns stressing the importance of individual decision-making

The 2003 elections represent an important step in Yemen's political development, and while recommending that concerted steps be taken to ensure the integrity of the political process, NDI also notes the inspiring efforts of the Yemeni people in pursuing the ideals of democracy and democratic elections. Yemen is unique among its neighbors in the level of pluralism and political competitiveness that exists in the country. That this kind of civic and political party activity takes place in an impoverished, traditional setting makes it all the more remarkable and hopeful.

² NDI monitored three out of the four by-elections.

INTRODUCTION

With the support of President Ali Abdullah Saleh, the SCER, the major political parties and the U.S. Embassy in Sanaa, NDI organized a 30-member election observation delegation from April 22-30, 2003. This report is based on their observations. It also draws upon the work of NDI's long-term staff who are based in Sanaa and have been engaging the government, political parties and civil society in the months and years leading up to these elections. The objectives of the NDI observation mission were:

- to demonstrate the international community's support for an open and fair political process in Yemen;
- to provide an accurate and objective assessment of Yemen's 2003 parliamentary elections;
- to help deter electoral irregularities on election day; and
- to encourage Yemeni public participation and confidence in the electoral process.

The observers monitored 77 centers (a mix of urban and rural) in 32 constituencies in seven governorates. Due to security concerns, the observers were unable to monitor in most tribal areas. Approximately half of the sub-commissions they monitored were for women voters. Three of the seven governorates were southern.³

Monitoring by domestic NGOs was also encouraged and over 25,000 domestic monitors were accredited by the SCER, 3000 of who took part in an NGO program coordinated by NDI.



³ The northern governorates in which they were deployed were Sanaa, Taiz, Ibb, and Hodeida. The southern (former PDRY) governorates were the Hadramaut (Mukalla and Sayun), Aden, and Lahaj.

POLITICAL CONTEXT

The 2003 elections were the third legislative elections in Yemen's history, with previous elections for parliament in 1993 and 1997. The two prior elections were similar in the manner in which they were run, with intense negotiations between the major parties affecting the results of polls. Both were won handily by the General People's Congress. There were, however significant differences between 1993 and 1997: the Yemen Socialist Party, which ruled South Yemen before unification and which had gained 63 seats in 1993, boycotted the 1997 elections. Furthermore, although both elections resulted in coalitions between the ruling party and the major opposition party, the percentage of opposition party seats declined significantly in 1997. Nevertheless, both elections were judged as significant steps for Yemen in its short history with representative democracy.

The 2001 local council elections revealed a significant shift in relations between the parties. For the first time neither the YSP nor *Islah* negotiated seats with the GPC in advance of the elections. A genuine opposition appeared to be developing. In the run-up to the 2003 elections seven parties⁴, including *Islah* (the Islamist party) and the YSP, formed an opposition alliance: the Joint Meeting Parties (JMP). In a promising step for the emergence of a viable opposition in Yemeni politics, the JMP signed a Memorandum of Understanding, which committed the member parties "to not compete against other JMP members – either directly or indirectly- if the outcome would serve to favor another party's candidate winning the seat." While making some positive statements about the JMP's efforts to strengthen the opposition, the government and GPC took steps that appeared designed to break the alliance, including exploiting rifts between *Islah's* radical and moderate wings. GPC and *Islah* relations worsened with the assassination of Jaralla Omar, Assistant Secretary General of the YSP, in December 2002 at the *Islah* party congress. The GPC newspapers accused *Islah* of being behind the assassination. Remarkably, the assassination failed to cause a split between *Islah* and the YSP. Both parties worked actively to denounce the assassination and to bring their supporters together around opposition to violence.

Relations between the national elections commission and opposition parties have historically been characterized by a lack of trust and cooperation. Though measures were taken in the year leading up to the 2003 elections to improve party-SCER relations, the relationship remained a contentious one. While concerns about the SCER's independence may in some cases have been justified, the parties can also be faulted for the lack of diplomacy they demonstrated in working with the SCER. Additionally, when the parties identified problems in registration and election procedures, they frequently failed to provide sufficient documentation or to follow-up on problems.

⁴ The Yemen Congregation for Reform (*Islah*), Yemen Socialist Party (YSP), Nasserite Unionists Political Party (NUPP), Baath Socialist Party (BSP), Federation of Popular Yemeni Forces (PF), Al Haq (AH), and September Party, a small party which ceased to attend JMP meetings prior to the elections.

Political Parties

Nineteen parties competed in the 2003 elections. Twelve of these have historically worked in coalition with the ruling party and in several cases were considered to be creations of the ruling party. Five have been loosely allied in an opposition coalition and two were considered to be genuine independents.⁵ The largest political parties are the General People's Congress, the Yemen Congregation for Reform, the Yemeni Socialist Party. The number of small parties winning seats in parliament has been reduced, from four in 1993 to two in 1997 and two in 2003.

The General People's Congress (GPC)

The General People's Congress, the ruling party of Yemen, was established in North Yemen in 1982 as a forum for reaching a political consensus in the Yemen Arab Republic (North Yemen). Led by President Ali Abdullah Saleh, the GPC is the largest political party in Yemen. It has steadily increased the number of seats held in parliament from 145 in 1993 to 187 in 1997 to 240 (including GPC affiliated independents) in 2003. The party currently holds 58.6 percent of the seats on the district councils and 58.45 percent of the seats on the governorate councils. As compared with *Islah* and the YSP, the GPC has the least defined political ideology, serving more as an umbrella for diverse interests than as an ideologically coherent party. Tribal figures have a strong hand in the party.

After the 2001 elections the GPC began an effort to decentralize, devolving more power to local party branches. *Islah* did better in the local council elections in 2001 than the leaders of the GPC seemed to have expected. The decentralization of the party may have reflected a realization by the leadership that they would have to mobilize greater support at the branch level to maintain the party's dominance in the 2003 elections. Members of the ruling party in discussions relating to campaign and election day violations argued that the party has little ability to control its members and that it lacks the ideological cohesion to influence its candidates and supporters. Decentralization, as implemented by the party, may have exacerbated this problem.

Yemen Congregation for Reform (Islah)

Yemen Congregation for Reform is the largest opposition party. It has, however, seen the number of seats it holds in parliament decrease from 66 in 1993, to 53 in 1997, to 45 in 2003. Members of *Islah* currently hold 23.3 percent of seats in the district councils and 20.42 percent on the governorate councils. Previously in a sometimes contentious coalition with the GPC, *Islah* began to establish itself as a more genuine opposition party in the 2001 local council elections. Ideologically *Islah* is a pragmatic, relatively moderate Islamist party. According to a recent International Crisis Group report, "Despite certain ideological affinities, *Islah* has not lead the Islamist confrontation with the state but instead has played a mediating role between the state and the country's more conservative religious elements. Islamists who joined *Islah* were not joining a

⁵ In coalition with the GPC are the National Democratic Front, the Nasserite Reformist Party, the Liberation Front, the League Party, the National Social Party, the Unionist Popular Liberation Party, the Yemeni Popular Unity Party, the Democratic People's Party, the September Democratic Party, the Yemen Unionist Congregation, the Social Green Party, the Democratic Federation for Popular Forces and the Democratic Nasserite Party. In the opposition coalition are Yemen Congregation for Reform, Yemen Socialist Party, Nasserite Unionists Political Party, Baath Socialist Party, Federation of Popular Unionist Forces, Al Haq and the September Party. The independents are the Baath National Party and the League of the Sons of Yemen. The similarity of names can be confusing.

radical religious movement but rather integrating a party that was dominated by an individual (Sheik Abdallah al Ahmar) who is far more a traditional tribal leader and republican hero than a strict Islamist ideologue.”⁶ *Islab*'s membership consists primarily of social conservatives and religious Islamists of different shades, including the Muslim Brotherhood. If the parliamentary elections are an accurate indicator, *Islab* is undergoing a shift in its membership base from tribal to urban areas.

Yemeni Socialist Party (YSP)

As in the case of *Islab*, the Yemeni Socialist Party is led by pragmatic moderates in the party. Their leadership has suffered challenges in recent years from radicals in the party who called for boycotts of the 1997 and 2001 elections. The leadership successfully opposed the call for a boycott in 2001, but the refusal of radicals in the Hadramaut to mobilize their supporters on behalf of local YSP candidates hurt the party in the 2001 local council elections. The party was also damaged by the assassination of party Assistant General Secretary Jaralla Omar in December 2002.

Party membership is strongest in the governorates of the former People's Democratic Republic of Yemen, although the party did less well than anticipated, losing votes to *Islab* in many southern urban constituencies. It is also supported by some northerners who feel threatened by Islamists or oppose President Saleh for personal, ideological or tribal reasons. The YSP held 68 seats in 1993, boycotted in 1997 and won only seven seats in 2003. The YSP holds 3.3 percent of the district council seats and 3.76 percent of the seats on the governorate councils.

Potential for Election Related Violence

There was concern in the pre-election period that the elections might trigger considerable violence. In the 2001 local elections over 50 people were reported killed in election-related violence. During the registration period seven people were killed and over 40 wounded as a result of tribal clashes or revenge killings at registration centers. There were also serious clashes between aspiring GPC nominees in some areas. The breakdown of the historic coalition between *Islab* and the GPC may have led to the increased violence in 2001, and the development of the JMP opposition coalition clearly heightened tensions between the ruling party and the opposition.

In response to concerns about election-related violence, the International Foundation for Election Systems (IFES) initiated discussions with the major parties in September 2002 regarding the development of a formal "Code of Conduct" to govern political party practices during the election period. Given the frequent recourse to violence in political disputes, this code could have represented an important step in easing tensions during the election period.

Unfortunately, *Islab* refused to sign the code during the registration period -- ostensibly because of party anger over the decision to permit military personnel to individually choose where to register. The code was reintroduced in January 2003, and NDI began consultations with the parties to develop conflict resolution committees at the local branch level of the major parties. Soon thereafter, President Saleh formed a multi-party committee to develop its own code of conduct. The committee decided to formulate two separate documents: one to address the conduct in the elections, drawn mostly from the document put forward by IFES, and one to focus on the political

⁶ Yemen: Beyond the Myth of a Failed State International Crisis Group, Middle East Report No TK, Amman/Brussels, December 2002, page 10.

environment and address issues such as unifying the nation, challenges facing the country, and the impact of the pending war in Iraq. The election guidelines were signed by all of the major parties before the elections.

The SCER designated April 27 “A Weapons-Free Day,” and NDI, with the financial assistance of the UNDP, produced 100,000 stickers calling upon citizens to not carry guns on April 27. NGOs distributed the stickers throughout the country. Also under the auspices of the SCER, the GPC, *Islah* and the YSP appeared on national television calling upon their supporters to refrain from violence. In contrast to previous elections, violence was greatly reduced with only three documented election-related deaths.