

CASE STUDIES ON LAND AND CONFLICT IN THE ARAB REGION

YEMEN

Decades of war curtail productive land use and endanger tenure rights



Figure 1. Dry Land, Harad, Yemen. Source: Julien Harneis/Flickr (2013)

NATURE OF THE CONFLICT

Located in the southwestern corner of the Arabian Peninsula, Yemen's topography ranges from coastal plains to mountains, the central highlands, forming a semi-arid plateau that descends eastward towards the desert. Yemen has a rich agricultural history and productive potential. Agriculture and fishing have been the major sources of subsistence along the coast, while nomadic and semi-nomadic herding dominates the east. The southern coast has been a hub for international trade for centuries (Norwegian Refugee Council, 2019).

Yemen was under divided rule until 1990. Following the demise of the Ottoman Empire, the Kingdom of Yemen was established in the northern part of Yemen. The Kingdom lasted until 1962, when a group of republican army officers founded the Yemen Arab Republic, after winning a protracted civil war against the monarchists.

Meanwhile, the southern part of Yemen was under British colonial control until 1967, when anti-colonial forces prevailed and created the People's Republic of Yemen, later renamed as People's Democratic Republic of Yemen (PDRY). In 1970, it initiated socialist reforms, expropriating properties of the sultans, traditional elites, large feudal landowners, and tribal leaders. These lands were redistributed to former sharecroppers (*fellahin*) and poor urban dwellers or were turned into cooperatives and state-run farms. Many former leaders and Yemeni elite took refuge in other countries, including Saudi Arabia.

North and South Yemen were unified in 1990. Yemen's pro-Iraqi position in the first Gulf War led to the expulsion of around two million Yemeni workers from Saudi Arabia and the withhold of aid, contributing to an economic and social crisis. In the years that followed, divisions persisted and, in 1994, tensions erupted into violence and southern leaders declared independence, launching a civil war.

The northern military victory was aided by the same sultans and sheikhs who left after their land was expropriated in the socialist land reforms of the 1970s in southern Yemen. In exchange for their support, Yemen's president Ali Abdullah Salih restored most of their lands, disregarding the rights of the beneficiaries of PDRY's land reforms. These beneficiaries rejected the claims of the returning sheikhs, especially in cases where lands had been transferred to a third party through sale, rental, lease, or inheritance. The appropriation of these lands remains a major source of grievance, used as fuel by southern separatists and other militant groups.

The North also had land-related grievances. Ali Abdallah Saleh had built a network of tribal alliances in the North to centralize his power. These tribal elites saw an opportunity to strengthen their control over landholdings and water resources, thus pushing small-scale farmers out of the countryside and into urban areas (Norwegian Refugee Council, 2019). The mass movement of poor landless peasant into the urban slums of Sana'a and other major cities created large areas of destitution, which resulted in further alienation from the state. The dispossession of smallholder farmers drove them towards insurrection, swelling the ranks of the Ansar Allah movement, also known as the Houthi movement.

In the 2011 Arab Spring, poor economic conditions, large-scale inequalities, and a lack of genuine political representation led to anti-government protests that drove President Salih from power. Former Vice President Abdrabbuh Mansur Hadi ran as a sole candidate in an election boycotted by the Ansar Allah movement and southern secessionists, and he helmed a transitional government recognized by the UN and several governments.

In late 2014, the Ansar Allah movement seized power and took over most of the northern part of Yemen and set up a government in Sana'a, triggering the military intervention of the Saudi-led Coalition in March 2015¹. The ensuing fighting, the bombing campaigns, and the effects of sanctions destroyed large tracks of Yemen's land and have been changing tenure relationships, aggravating existing land-related conflicts among individuals and communities.

■ EFFECTS OF THE CONFLICT ON LAND

DESTRUCTION OF CIVILIAN INFRASTRUCTURE AND RURAL LAND

Prior to 2015, most infrastructure damage was caused by non-state actors and concentrated on energy infrastructure, such as pipelines and electricity installations. With the Coalition's intense bombing campaign, the number of civilian infrastructure targets quickly increased. The Civilian Impact Monitoring Project of the Protection Cluster for Yemen "found that most of the 15,170 incidents of airstrikes, shelling, and armed conflict reported from October 2017 to September 2018, included damage or destruction of civilian facilities, including irrigation systems, agricultural sites, schools, hospitals, water points and sanitation plants" (Sowers, 2021).

While urban areas have been extensively hit, rural lands have fared much worse. After strikes on military targets did not bring down the Sana'a government, the campaign shifted to targeting the productive base, especially agricultural land and infrastructure (Mundy, 2019). Fishing communities have also suffered strikes on boats, harbours, and markets. The bombing has damaged the land's productive capacity, brought land use changes, and caused mass displacement.

■ DECREASE IN PRODUCTIVE LAND USE: INPUT SCARCITY AND CLIMATE CHANGE

Farmland has been abandoned due to input scarcity. Dams, water pumps, and wells have been damaged or destroyed by the war (Varisco, 2019) and by recurrent annual floodings. OCHA estimates that, in 2022, floodings affected the livelihoods and properties of over 70,000 families across the country (OCHA, 2022). The water crisis is compounded by climate fragility in the agriculture system, due to the reduced planting of crops well suited to arid lands, in favour of high-value irrigated crops, encouraged by international development groups, and the influx of foreign subsidized wheat into Yemen (Sowers, 2021). The intermittent blockade of the ports has made it more difficult to import all types of goods, including the fuel needed for irrigation systems and

1 The coalition includes Saudi Arabia, Egypt, Morocco, Jordan, Sudan, the United Arab Emirates, Kuwait, Qatar, Bahrain, and Academi (the private military contractor formerly called "Blackwater").

farming machinery. According to the FAO (2021), 85% of farming households cannot access water and fuel for irrigation. In 2020, the FAO carried out a survey among Yemeni farmers, who reported that their top need was seeds (FAO, 2021). Agencies imported new seed varieties in a national regulation vacuum, potentially altering the long-term ecological balance.

DECREASE IN PRODUCTIVE LAND USE: FINANCIAL CRISIS

The inaccessibility of inputs is compounded by the currency crisis in the country. Yemen's rial lost 25% of its value in 2020 and 70% during the previous five years, and the difference between the exchange rates in the areas under the Recognized Government of Yemen and areas under the de-facto authority stands at 890 YER (Cash Consortium of Yemen, 2023). Furthermore, after the central bank was moved to Aden in 2016, the Sana'a government could not pay public sector salaries, threatening maintenance and repair of agricultural infrastructure and the provision of extension services. Airstrikes on markets have also constrained the ability of farmers and fishers to sell their produce.

The unprofitability of working the land is compounded by market changes. While Yemen imported significant levels of food before the war, the conflict exacerbated this trend. According to WFP estimates, Yemen imported over 90% of its food in 2020. The reliance on food imports not only leaves consumers exposed to market fluctuation but will slow the return of farmers to their lands after the fighting subsides.

CHANGES TO THE PHYSICAL LANDSCAPE AS A RESULT OF AGRICULTURAL DECLINE

The decrease in productive land use caused by the attacks on rural lands, difficulties in securing inputs, and the deterioration of extension services have initiated long-term landscape changes. Yemeni farmers had long relied on highland terrace systems to maximize scarce water resources. These delicate systems require regular maintenance, and many have collapsed as agricultural labourers flee ground fighting areas. Further, livestock rearing declined, as desperate families are forced to sell

their herds (Martha, 2019). Large stretches of the Yemeni countryside are without important biodynamic agents.

FOOD INSECURITY

Because the country cannot grow or import enough food, most Yemenis face serious food insecurity. According to WFP, 17 million Yemenis are currently food insecure - this represents close to 50% of the Yemeni population and includes 3.3 million internally displaced persons (WFP, 2022). The fact that there is little direct correlation between the areas experiencing violence and food insecurity shows how diffuse the consequences of violence on land can be; losses in one place cause widely felt impacts through supply chains (Tandon and Vishwanath, 2020). The mass poverty and hunger also drive displacement and informal land tenure.

Such changes also play out in the ways that aid and development groups have responded to the food crisis. In 2015, FAO suspended its Yemen programme. When it resumed work, it transitioned from development programming to exclusively humanitarian/emergency work, focused on preventing starvation. Mundy (2020) argues that this shift has provided more direct support to small-scale farmers than previous interventions geared towards market returns. This potentially positive side-effect of the conflict may help smallholders remain on their lands.

COMPETING LAND CLAIMS AND LAND GRABBING

The war worsened pre-existing and triggered new land-related conflict. Amid the breakdown of rule of law, former elites whose lands had been redistributed by the PDRY land reforms and had emigrated to the Arabian Gulf or to North Yemen came back after the demise of the PDRY to claim what they believed was theirs – and more when possible.

The widespread use of landmines precluded access to housing, land and water, changed grazing patterns, and blurred abandoned property boundaries, as land markers are easily forgotten or overgrown (NRC, 2019). In previous years, mine clearance in Yemen hindered the return of displaced peoples. Once the lands were cleared,

local elites and wealthy outsiders often claimed them, rather than the original landowners, hindering the ability of displaced people to return to their area of origin. When demining efforts overlook tenure issues the likelihood of land rights' violations and overlapping claims is high (ibidem).

The land governance system in Yemen is plagued by institutional weakness, made worse by the current war. Between 80% and 90% of land transactions in Yemen take place outside of statutory structures. Tenure, property, and ownership in rural areas are predominantly governed by customary, tribal arrangements, which are not homogeneous and were shaped by various economic, demographic, environmental, and historic processes (NRC, 2019). Documentation of transactions is often issued by sheikhs or local elders, or through informal documents prepared by the parties. Such evidence can easily conflict with opposing claims, backed by other informal mechanisms, preventing the resolution of localised land conflicts. Government efforts to control land and distribute resources to foster political alliances and advance their political agendas have led to overlapping and contested land claims as well as the transformation of land into something of a war prize (e.g., the alliance of the Salih government and the previous sultans and sheikhs of the South during the 1994 North–South war).

The conflict parties, including formal Southern elites, Northern political actors and in some cases foreign states,² have exploited these weaknesses to grab land over which they have no legal or customary rights. In some cases, the same parcels were sold multiple times. Powerful and wealthy parties have also used militias to physically seize lands through force, coercion, and extortion, without appealing to land governance mechanisms at all. Some of this land grabbing appears to take place in an attempt to settle pre-war grievances, especially in the South between sheikhs and land reform beneficiaries. However, most land grabbing episodes are just the result of powerful actors taking advantage of the situation to take over valuable land without fear of recrimination.

EXPANSION OF INFORMAL SETTLEMENTS

Large numbers of displaced people, pushed by the destruction of the productive base in the rural areas, fled

to urban areas (Mundy, 2019), often ending up in informal tenure arrangements and generating chaotic land occupation patterns that further triggered conflicts and violence. Urban settlements in Yemen are largely defined by the informal occupation of state land (*miri*). Already before the war, around 65% of the urban population was living in such settlements, especially around Sana'a, Hodeida, Ta'izz, and Aden. These neighbourhoods lack essential services, such as water, electricity, and sanitation, and frequently suffer flooding and landslides during the monsoon season. With the influx of IDPs, informal settlements ballooned, expanding onto private property, schools, and government buildings. In 2017, it was estimated that 25% of IDPs lived in such settlements. These tenure arrangements have often led to violent conflict with landowners seeking to evict the occupants, causing secondary displacement.

CONFLICT RESOLUTION

The conflict has caused disruptions of both formal and informal local dispute mechanisms. The impacts are particularly worse in urban areas, where formal mechanisms prevail, and public institutions (including courts, local governorates, village councils, and police) no longer operate properly (NRC, 2019).

Although customary institutions—dominant in rural areas—have been more resilient following the outbreak of the war, they also confront growing difficulties in facilitating the fair resolution of disputes, particularly with the influence of fighting factions and external forces (ibidem). While there are remedial measures that must be taken in the short run to alleviate institutional, socio-economic, and environmental ramifications of the war in Yemen, the impacts on land and LRC will only be addressed meaningfully when the conflict stops. Current efforts are needed to end the war, sanctions, foreign military, and political interference, and promoting reconciliation among the people of Yemen through nationally-led platforms. Any peace process must protect the housing, land, and property rights of all Yemenis across political lines and including the displaced. Indivisible from the resolution of land-based challenges, measures must be taken to resolve the financial crisis, and aid the movement of people, goods, and services locally and across borders.

² In 2018, the UAE took over the Socotra Archipelago, which belonged to the former PDRY, to develop a "colony."

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ABOUT THE CASE STUDY

The case study "Decades of war curtail productive land use and endanger tenure rights " was documented by the Arab Land Initiative of UN-Habitat and the Global Land Tool Network (GLTN), in partnership with the Arab Group for the Protection of Nature (APN). This study is part of a broader effort to examine land-related conflict dynamics across the Arab region. The analysis was developed by Mariam Al Jaajaa, Rami Zurayk, Minerva Sadek, and Elle Ambler. It applies the GLTN tool "How to Do a Root Cause Analysis of Land and Conflict for Peace Building" to identify the underlying causes of conflict, its proximate factors and triggers.

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Authors: Mariam Al Jaajaa, Rami Zurayk, Minerva Sadek, Elle Ambler

Reviewers and contributors: Amin AlHakimi, Clarissa Augustinus, Francesca La Monaca, Sina Schlimmer, Eleonora Francesca Serpi, Lisa Shahin, Ombretta Tempra, Razan Zuayter

Layout: Francesca La Monaca

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UNITED NATIONS HUMAN SETTLEMENTS PROGRAMME
UN-Habitat
P.O. 30030, Nairobi, 00100, Kenya
Tel: +254 20 762 3120
Fax: +254 20 762 4266
www.unhabitat.org

GLTN Secretariat
Facilitated by UN-Habitat
P.O. 30030, Nairobi, 00100, Kenya
Tel: +254 20 76 5199
Fax: +254 20 762 4256
E-mail: gltn@unhabitat.org
www.gltn.net



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