Chapter 4

AQAP and Governance in Yemen

Post-conflict Considerations

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Introduction[1]

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 and early 2019. Yet, while to date it is the most successful case of terrorist governance, it was certainly not the first. Yemen is one of the earliest, most important, and often overlooked case of such jihadist governance. In addition, 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 and demand particular considerations for addressing such groups.

In Yemen, to different extents and for differing lengths of time, al-Qaeda in the Arabian Peninsula (AQAP) has implemented governance in some parts of the country and it is the development of this, and considerations for countering AQAP going forward, that is the focus of this chapter.[2] AQAP 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 public services ranging from the judicial to security in areas facing gaps in these public goods. As 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" (Associated Press 2012).

AQAP remains a viable (though currently diminished) presence in Yemen due, in part, to its evolution in governance. Since its first significant governance attempt in 2011 during the Arab Spring, AQAP has controlled diverse territory on multiple occasions, implementing various aspects of governance—some much

more expansive than others. Its most successful effort to date has been 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.

Following a brief discussion of jihadist proto-states and rebel governance, this chapter draws from publicly available reports and current academic literature to outline AQAP's jihadist approach to governance and its evolution. It will specifically analyze the most significant case studies including Jaar, Zinjibar, and Mukalla, and consider how the ongoing conflict has impacted AQAP's approach in the country. Finally, it will discuss the responses that must be considered in Yemen going forward, including post-conflict stabilization, governance, and counterterrorism.

Terrorist Proto-states and Rebel Governance

It is worth briefly reviewing terrorist (specifically jihadist) proto-states and broader rebel governance.[3] Lia notes that these often share several 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 and may seek foreign fighters, cooperate or compete with other jihadist proto-states, or commit to internationalist causes.[4] Third, such states are often a significant security concern for neighboring states and the international community. 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) (Lia, 35–6.). Karmon (2015) has referred to this as "competing for hearts and minds," comparable to insurgencies to some extent. These groups may use "charitable service provisions as a tool to shift the position of local populations along a 'continuum of community acceptance,'" gaining support for other elements of their wider agenda through the physical and material support of the population (Flanigan 2006). 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" (Grynkewich 2008).

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" (ibid., 353–5). To manage this, states must eradicate these social services by non-state actors, Grynkewich argues, while increasingly replacing these with their own (ibid, 351). Mampilly (2012) also discusses three essential "goods" required as part of "effective governance": some force able to provide security and stability to the population; a dispute resolution mechanism; and public goods that extend beyond security. All three of these essential goods have been provided by AQAP, and remain relevant areas of concern, particularly in the south where such state-provided goods have been particularly lacking.

A significant number of Islamist militant organizations have engaged in this type of governance. ISIS has thus far proved to be the most successful in both scope and longevity (Caris and Reynolds 2014). The Taliban (Johnson 2013) and Hamas (Berti 2015), Hezbollah (Wiegand, 2016), Al-Shabaab (Hansen, 2013), and Boko Haram (Ladbury et al. 2016) have also governed to varying extents (also see Cook and Maher 2021). In short, there is nothing new or novel about terrorist governance. It is often functional, and aims to challenge the legitimacy and support for local authorities through the provision of services usually provided by legitimate government actors. This governance varies 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 with other local actors such as tribes. The extent of this governance may also have clear implications for post-conflict actors. The next section looks at how this has unfolded in Yemen via AQAP.

Al-Qaeda's Long Shadow in Yemen

Al-Qaeda's presence in Yemen long preceded 9/11, emphasizing the longevity and evolution of the organization, and its domestic and international streams of focus. A dual attack in 1992 on the Gold Mohur and Aden Movenpick hotels is considered to be the first al-Qaeda-linked attack against the United States (Clark 2010, 163). A Yemeni member of al-Qaeda was implicated in the 1998 US embassy bombings, and a subsequent attack by al-Qaeda on the USS *Cole* in the Port of Aden in October 2000 remains the deadliest attack against US personnel in the country. Following 9/11, numerous al-Qaeda links to the country were exposed. In 2006, twenty-three key al-Qaeda figures escaped from a Sana´a prison, and in 2009, Saudi and Yemeni al-Qaeda elements established AQAP.[5] Al-Qaeda has frequently targeted internationals in the country, including 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. AQAP has since been viewed as an international threat and at times the most dangerous branch of al-Qaeda globally, specifically due to the abilities of its key bomb maker, Ibrahim al-Asiri (d. 2017), who threatened international aviation and concealed bombs in packages sent to the United States. Samir Khan and American-Yemeni preacher Anwar al-Awlaki, and English-language online magazine *Inspire*, were also widely acknowledged to open AQAP recruitment to an English-speaking audience and were connected to numerous plots, including the 2009 shooting at Fort Hood by Nidal Hassan and other lone actor attacks. Links to the *Charlie Hebdo* attack in Paris in 2015, and a December 2019 attack in Pensacola Naval Air Station by a lieutenant from the Royal Saudi Air Defense Forces, are recent examples of the international reach of AQAP.

However, the most significant threat from AQAP remains within Yemen, where it has attacked police, military, and government targets and operated in a manner more akin to an insurgency.[6] A May 2012 attack on a military parade rehearsal

saw 120 killed and 200 injured, and the brutal 2013 attack on a ministry of defense hospital, which killed fifty-six, show just how deadly AQAP can be. The group has also continued to increase its membership over the years, from only 300 members in 2009 (Johnsen 2013) to around 7,000 members by 2020 (Analytical Support and Sanctions Monitoring Team, 2020), demonstrating its continued and growing attraction.

AQAP has demonstrable global and local ambitions, and effective counterterrorism will have to deal with this threat through distinct streams of effort. We now focus on AQAP's internal dynamic within Yemen whilst keeping in mind the interconnectedness of local dynamics with AQAP's ability to project itself abroad.

Appealing to Local Hearts and Minds

From as early as 2006, AQAP's predecessors have exploited popular grievances and emphasized jihad as a solution (Koehler-Derrick 2011, 41). 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 who have a much stronger presence in rural areas.[7] Many of these tribes, she notes, had sought increased government security and service delivery (Dawsari 2018). AQAP, in particular, has been able to exploit weak or absent government presence to build support in local communities.

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" (Cigar, 2018, 11). Kendall has discussed this in terms of an "understanding" with local tribes, nurturing this through marriage and kinship ties. Where tribesmen have accidentally been killed in operations, AQAP has in some cases provided the payment of blood money and issued formal apologies (Kendall 2018, 6–7). 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 offered even the relatively unobservant religious an outlet for grievances related to poor economic prospects; lack of development; feelings of isolation or injustice in society; and deaths of family members or friends via counterterrorism efforts or Huthi attacks. Joining AQAP's calls for action allows such people to reclaim their dignity and seek justice (al-Dawsari 2018). Unless thematic issues—including those related to human security, governance, dignity and justice—are adequately addressed, the risk for non-state actors to exploit these remains.

AQAP has provided 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" (ibid.). AQAP communicated this in locally resonant ways, such as through the use of poetry, which can further connect with local communities, and solidify jihadist identities (Kendall & Stein, 2015), or draw on their personal tribal identity to align themselves with local communities.

AQAP attempts to portray itself as a governing alternative to redress and correct local grievances. Such governance can help secure commitment and dedication to the group, exploiting the ills of the Gulf region's poorest state. Some authors suggest that the lack of governance by Islamic State in Yemen (ISY) contributed to its failure to gain support from local populations (Kendall 2019, 79), and may impact ISY to gain influence in Yemen.

AQAP has two primary strategic tracks: global and local. The first is directed internationally at the "far enemy," whether trying to blow up planes en route to the United States, kidnapping foreign tourists, or targeting foreign embassies or citizens. The local track was initially focused on terrorism, but as its membership grew it adopted a populist approach through its governance and increasingly resembled an insurgency within the country that utilizes terrorism as a key tactic. AQAP demonstrates a flexibility of approach in its efforts to retain local support, while pursuing al-Qaeda's wider global ambitions. Such evolutions have clear implications for response to the group today and in the future. However, it is first prudent to better understand the scale and contours of this governance historically as was seen in its first large-scale effort in 2011 in the cities of Jaar and Zinjibar.

Jaar and Zinjibar 2011 and 2015

The withdrawal of military and security units from Abyan as Ali Abdullah Saleh and General Ali Muhsin al-Ahmar maneuvered against each other in mid-2011 provided AQAP with an ideal opportunity.

AQAP had long been seeking to establish an Islamic State in southern Yemen: in 2009 it worked to mediate tribal disputes. In 2010, it had offered to help bring teachers to Rafadh (in Shabwah province), where even basic education was unavailable (Worth 2010). AQAP had been dissuaded from going further by Osama bin Laden, who believed the group did not have enough public support.

The situation in Yemen after January 2011 changed that equation. In March 2011 Ansar al-Shariah announced over the radio its establishment of an "Islamic Emirate" in Abyan and renamed the city of Jaar to "Islamic Emirate of Waqar." Trying to distinguish itself from past errors, AQAP had rebranded itself (a common practice for the group), as Ansar al-Shariah ("The Supporters of Islamic Law"). Abu Zubayr Adel, Sharia official for AQAP, had 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." State security forces put up little resistance when the group moved in and they quickly seized the city. Khalid Abd-al-Nabi (aka 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" (BBC Monitoring Research 2011). Abyan had been a victim of years of state neglect, particularly post-1986.

Abu al-Zabir, AQAP's then religious leader, noted that this governance was established to "attract people to Sharia rule" in areas they controlled, and had been influenced by the Afghan Taliban and al-Qaeda in Iraq (AQI). Many of those involved in Ansar al-Shariah at this time had themselves reportedly lived under Sharia law in Afghanistan or Iraq (al-Shishani 2012). This suggests they were able to learn from past errors and now understood the benefits of engaging in governance, even when unsuccessful (as it had been in Afghanistan and Iraq). Major General Muhammad al-Sawmali, commander of the 25th Mechanical Division, noted that AQAP's cadres included foreigners, including Saudis, Pakistanis, Egyptians, and Somalis.

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 AQAP governance in its various locations (BBC Monitoring Research 2011). AQAP implemented Sharia law, including *hudud* punishments, but did so gradually, after first educating the populace (al-Abab 2011). 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 (ibid.; Johnsen 2013: 279).

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" (al-Abab, 2011). Adel noted that in places such as Abyan, AQAP had "moved our work from the elitist work to the populist" (ibid.) He admitted that AQAP 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" (ibid.). AQAP's presence could be worthwhile only when it could show that it had the capacity to provide security and governance.

AQAP also took over a local radio station in Abyan in April 2011, calling for media experts and professionals to help run it (Al-Abab, 5, 2011). Finally, according to one "judge," the group also focused extensively on providing justice mechanisms, reporting that it resolved forty-two cases in two weeks. Providing a formal justice mechanism also appeared to deter a spiral of revenge killings, according to al-Dawsari (Simcox 2012, 62). Yet, AQAP also conducted particularly brutal acts. It was *hudud* punishments, such as amputations and crucifixions (including of those accused of being spies), that eventually turned local populations against AQAP.[8]

Alongside violence normally associated with jihadist groups in Jaar and Zinjibar, Ansar al-Shariah began publicizing public works and services it stated it was

carrying out.[9] These included distributing water 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 such services by the central government (Johnsen 2013, 279). 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 (Simcox, 2012: 62). It delivered pamphlets warning against "usury in trade and money exchange" and the sale of "lewd" magazines and newspapers, and warned against collecting taxes where only the distribution of "zakat" to the poor was allowable (Makram, 2011).

This was the first time al-Qaeda as an organization had been able to govern to a notable extent. Preceding efforts had been undertaken by al-Qaeda in Iraq (AQI). Renamed Islamic State of Iraq (ISI) from 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 works projects; resources and care for families of deceased martyrs;[10] 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) (Fishman 2016, 90). However, this Iraqi project was exceptionally limited in its scope and implementation, and local communities rose up against ISI. Instead, Yemen proved to be the first notable success of governance by al-Qaeda and its diverse branches and affiliates.

Local Yemeni forces, besieged in their bases around Jaar and Zinjibar in this period, continued to fight 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) played an important role in preventing Ansar al-Shariah's further expansion to other regions and ultimately expelled the group from Abyan (al-Dawsari 2014). In September 2011, General Ali Mohsen and his forces pushed into the city to little resistance as Ansar al-Shariah cadres melted away into the mountainous countryside (Johnsen 2013, 282). They were still able to hold pockets of territory and conduct diverse (though smaller scale) aspects of governance. The death toll of civilians, military personnel, and fighters was in the hundreds in this period (Roggio 2012). AQAP also took to destroying local religious symbols. In 2012 several Sufi shrines and tombs in Jaar were destroyed, which was publicized by the group (ibid.). Different religious sites in Mukalla were also destroyed by AQAP in 2015 and 2016. Extremists outside of AQAP mirrored these actions and wrecked the mosque of Sheikh Abdulhadi al-Sudi in Ta´izz in 2016.

The takeover of Jaar and Zinjibar was repeated in December 2015, while the group simultaneously held Mukalla. By this time Yemen was in the throes of the civil war enabling Ansar al-Shariah to capitalize on the ensuing chaos. 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 (Almosawa & Fahim, 2015). AQAP held Jaar for only a few days before it withdrew, but was able to retain its presence in Zinjibar until August 2016. In this city it allowed local government officials to operate as they had done previously. Drawing from lessons learned earlier in Jaar and Zinjibar, AQAP renamed itself the "Sons of Abyan" (Al-Batati 2015b) (a similar exercise took place in Mukalla). Local journalist Anwar al-Hadhrami noted the group's more progressive approach in 2015: "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 (ibid.). Now, it was being acknowledged for its attempts to build water infrastructure, dig wells, and provide residents with water (Fergusson 2015). In Zinjibar, AQAP increasingly tried to implement governance and infrastructure works for the local community—a progressive approach that could be replicated in the future if such opportunities were to arise again.

Rada 2011–13

AQAP was involved in the city of Rada, Al-Bayda (population 60,000), sporadically but did not seek to hold and administer it. Between 2011 and 2012 AQAP conducted local conflict resolution, led largely by Tariq al-Dhahab (d. 2012), brother-in-law of Anwar al-Awlaki.[11] It mediated between tribes and provided blood money to facilitate the ending of feuds.[12]

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 Sana´a (Xinhua 2012). Local tribes mobilized their members to guard public facilities, including military camps, to prevent AQAP from taking over the whole city, demonstrating that such incursions by AQAP did in fact meet with continued local resistance, even as some residents may have welcomed limited aspects of their presence.

AQAP reappeared in Rada sporadically in 2013 and 2014. 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 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" (al-Sakkaf, 2013).[13] Support for AQAP may not have been widespread, but it must be acknowledged that an absence of public works, services, and justice mechanisms is likely to increase some level of support for non-state actors who are able to implement such efforts.[14]

It withdrew from the town after a prisoner release was negotiated via tribal mediation (Yemen Post 2013)—showing how AQAP could use the holding of territory as a bargaining tool. However, in September 2014, AQAP still had a presence in Rada: on September 26 after Friday prayers the group led anti-Huthi protests in the streets with its supporters (al-Mushki 2014).

Rada is an example of how AQAP uses small-scale governance to achieve its aims. Individual examples are often overlooked, yet when taken as a whole (see

Cook 2019b, appendix), there were numerous cases of small-scale governance. When conducted effectively AQAP can gain some support and a positive reputation.

Mukalla 2015

Mukalla proves to be the most successful case of AQAP governance to date and marked an evolution in the way it implemented governance. In August 2014, AQAP militants looted the international bank in Mukalla, the capital of Hadhramaut (Yemen Post 2014). Then, in April 2015, AQAP moved into the port city, population 300,000, relatively unopposed by local security forces and the Hadhrami Tribal Alliance.[15] It released 300 prisoners, including leading AQAP figures Khalid Batarfi and Ibrahim al-Abyan, and raided the central bank of Mukalla from which it stole a total of approximately $100 million. It then overran the local radio station and six army and security barracks and seized weapons (Amr 2015). Over the next month it took over a number of public buildings, the airport, and seaport.

Initially, AQAP took a "softer" approach in the city—black flags were not raised, music was allowed, and women were able to walk on the streets (Al-Batati 2015b). Its governance became more sophisticated over the course of the following year as it engaged local partners to help implement governance in ways it had not done previously. By early May 2015, AQAP had rebranded itself as the "Sons of Hadhramaut" (Al-Batati, 2015a), thus assuming a local identity. The Sons of Hadhramaut themselves did not govern; instead (and uniquely), they agreed to a political transition and left governance largely to a locally established group named the Hadhramaut National Council (Middle East Eye 2015). This Council otherwise claimed to have no link to AQAP, and had received a guarantee from AQAP that they would depart from Mukalla in one year's time.[16] This Council ran Mukalla with a civilian body that included sixty 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 (Amr 2015). The Hadhramaut National Council also reportedly had branches in Shihr, Ghayl Ba Wazir, Shohair, Raida, and Qusair also held by AQAP (Al-Batati, 2015a), of which Shihr, with its oil export facilities, was the second most significant. All these branches were comprised of local residents unaffiliated with AQAP.[17]

The Hadhramaut National Council acted as a separate governing intermediary—conducting day-to-day governance for AQAP, while still able to engage outside political actors, including President Hadi's office. While it was viewed by some as being another front organization for AQAP, others saw it as a locally established council comprised of unelected local Sunni Salafi scholars, tribal leaders, and other dignitaries. The International Crisis Group (ICG) reported that the Council included local dignitaries and prominent non-AQAP Hadhramis; and local members were appointed as religious police. In fact, most citizens viewed the Hadhramaut National Council as an AQAP front but concluded that it was an "acceptable way to deal with the outside world" (ICG 2017, footnotes 42 and 46).

When the Sons of Hadhramaut took over the city, the Hadhramaut National Council secretary-general, Abdul-Hakeem bin Mahfood, stated that a delegation of local citizens (who eventually formed the Hadhramaut National Council) approached AQAP to express concern that AQAP's presence would lead to military intervention, which would cause considerable damage to the city and its residents. They did not want Mukalla to face a fate similar to Jaar and Zinjibar.[18] It was subsequently agreed that the Hadhramaut National Council would manage the administration and security of the city, while AQAP would focus on fighting the shared Huthi threat. This increased the appeal and acceptance of AQAP's presence.

The Council also claimed that President Hadi "praised the Council for its efforts in restoring peace and security in the city," (Al-Batati, 2015a) and that Council members had met in Riyadh with both Saudi and Yemeni authorities to discuss their role in local governance. These interactions were led by Omar bin Shakal al-Jaidi, head of the Council, and were not widely publicized. Instead, these were described more in terms of the Council "passing a message" from the Sons of Hadhramaut to the Hadi government, rather than direct discussions or negotiations.[19] Yet, they are a clear example of government engagement and dialogue via a third party who had a widely known relationship with al-Qaeda.

This interaction raises important questions about legitimacy and pragmatism in official engagements with non-state actors that enable groups like AQAP to feel that they gain some legitimacy. Yet, if such interactions also reduce civilian harm and suffering by allowing the continuation of public services, they need to be assessed in terms of the potential local benefits of some unique and limited dialogue with AQAP. In short, how, when, under what circumstances, and to what ends non-state actors could be engaged with is not clear-cut. There is a need to balance the consequences of legitimizing or raising the profile of non-state actors and the immediate security and needs of local populations.

AQAP's governance of Mukalla was the most extensive to date, and created a more sophisticated financial model than seen previously. It extorted money from the national oil company—$1.4 million according to one estimate (Bayoumy, Browning & Ghobari 2016). 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 several months (including the import of oil), the Sons of Hadhramaut eventually took direct control. The taxation of goods and oil coming into the port earned the group up to $2 million per day, according to some reports (ibid.), though others have placed this more modestly at $700,000 (Trew 2018b). The Sons of Hadhramaut also, from the onset, took control of all military and security facilities in the areas.

The Sons of Hadhramaut returned the airport and Central Bank to Hadhramaut 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 (Middle East Eye 2016). The Council also received money from fuel imported into the city and $3.7 million directly from AQAP (Al-Batati 2015a). In May 2015, it was claimed that control of the port had been returned to the Hadhramaut National Council (BBC Monitoring 2015).

In an interview with ICG, one local resident spoke positively of the work of the Council during the ongoing war:

> We view the [Hadhramaut 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 country. . . . 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. (International Crisis Group, 2017)

On the other hand, many people continued to struggle 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 paycheck" (Trew 2018b).

During AQAP control of Mukalla, harsh *hudud* punishments were not as publicized as those doled out by ISIS, 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 threatened, detained, or killed by the group. One doctor reported seeing a woman accused of adultery stoned to death, and noted that women had been heavily restricted in their movements (ibid.). There was greater emphasis on the segregation of women, and unrelated males and females could not be seen together in public (Amr 2015). Religious policing was carried out by an organization called the Committee for the Promotion of Virtue and Prevention of Vice (ibid.). The Sons of Hadhramaut imposed a ban on *qat* and seized quantities of it from the local populace.

In total, AQAP ended up "conquering" an area of 700 kilometers, stretching from the Oman border to Aden, including multiple town centers, particularly in the southern coastal region (Trew 2018c). AQAP also launched a social media campaign promoting its public works in Mukalla. AQAP's Twitter account reportedly featured their governance works in 56 percent of their 2016 Tweets, emphasizing the community development carried out by the group (Kendall 2018, 7). Through the al-Ather "news" agency Twitter feed, the group showcased handing out food to the needy and showed itself improving local electrical access, street work, and management of public waste in garbage trucks (Joscelyn 2016). Local citizens were featured praising the quality of public works, the speed with which they were implemented, and the lack of corruption among local contractors (who could face severe punishment for corruption or poorly conducted work).[20]

Yet, disillusionment gradually set in and accelerated when AQAP became more visible and sidelined the Council. While the populace praised the services carried out in the city, it was *hudud* punishments and corruption that generated resistance to the Sons of Hadhramaut. On October 12, 2016, local residents protested against AQAP's corruption in public marches, which included chanting and carrying anti-AQAP banners.[21] Mukalla represents another important learning opportunity for AQAP, regarding a strategic and adaptive approach to governance. While up to 2016 AQAP's governance projects had ended in failure, these also proved informative for how they could adapt their governance attempts in the future if

governance continued to feature in their local strategy, and if such opportunities arose again.

The manner of AQAP's departure from Mukalla raises further important considerations for future interactions with the group. The Associated Press found that the group's withdrawal from Mukalla and subsequently from six other towns was actually negotiated. AQAP agreed to pull out of the city (taking guns and other seized loot), if the United States did not conduct strikes on those leaving. Under the arrangements, 10,000 local tribesmen, including 250 AQAP militants who had "repented," would be integrated into UAE-backed Security Belt Forces (Michael, Wilson & Keath 2018).

By 2018 the UAE 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.[22] 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" (Trew 2018b). AQAP's governance in Mukalla thus ended in 2016. It was AQAP's last major and most prolonged effort at governance at the time of writing.

Implications for Security in Yemen

The earlier literature on terrorist and rebel governance emphasizes the importance of wartime activities of non-state actors for determining post-war outcomes. In the case of Yemen, wartime activities by the Huthis and other state-oriented actors will have the greatest impact on long-term stability. Here, I examine the potential impact of AQAP's experience of governing in terms of post-war Yemen, considering AQAP's own ambitions and the implications for how counterterrorism is conceived and conducted on a broader scale.

Future Governance Ambitions

AQAP governance appears to have been influenced by several factors. One 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. Subsequently in Yemen it can draw lessons from its own successful aspects of governance discussed earlier. It may further be informed by external case studies—drawing on what it may have observed from how other jihadist groups, including ISIS, practiced and implemented governance. AQAP has noted the potential appeal and benefits of governance. This would fall in line with its country-focused ambitions and could be utilized to regain support and membership, even if AQAP also maintains some focus on international targets. They have learned to be long-term, and pragmatic in their approach, aiming at winning hearts and minds of the population rather than co-opting people through

fear and force. As highlighted by the UN's Analytical Support and Sanctions 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" (Fitton-Brown, 2018). In 2020, AQAP was focusing on recruitment (in competition with ISY) via "youth outreach and the provision of public services in areas under its control" (Analytical Support and Sanctions Monitoring Team, 2020). This appeal to local populations through its projected humanitarian and governance activities will likely remain an active focus for the group for both public relations/support and recruitment purposes.

Simultaneously, AQAP is now the weakest it has been for many years, and has the lowest recorded rates of activity since 2015.[23] It has lost high-profile leaders to targeting by UAE, Yemeni military, and US forces—believed to be due (in part) to spies that had infiltrated AQAP's ranks, lending to a crisis of trust within the group. The death of AQAP leader Qasim al-Raymi in January 2020 saw Khalid Batarfi—an individual believed to have much less support within the group—take up leadership of the Yemeni branch (Analytical Support and Sanctions Monitoring Team, 2020). In 2020, they continue to have difficulty maintaining control over even small areas. Clashes have also continued with ISY (which, in the case of Al-Bayda, have actually contributed to diminishing ISY's influence),[24] and as Kendall (2020) notes, July 2018 to early 2020 saw what she describes as an "all-out war" between the groups which focused their attacks almost exclusively on each other. This rivalry has also included AQAP defense of key strategic logistic lines in Al-Bayda, which ISY attempted to seize in early 2020 (Analytical Support and Sanctions Monitoring Team, 2020). By mid-2020 some analysts believed that AQAP and ISY were potentially even being "weaponized by regional powers" (Kendall 2020), suggesting a significant change in the level of independence of the group seen previously. In central Yemen, AQAP has been degraded and dispersed but is still able to attract new members by positioning itself as a defender of Sunnis against Huthi incursion.[25]

AQAP will need to regroup and rebuild its resources and support in one of its most challenging periods, and its continued interaction with ISY will further impact its resources, focus, and activities in the country. AQAP may, further, see advantages in continuing to exploit current and future gaps in governance to offer itself as a viable option in seeking new members and support, which in the past has also included the recruitment of child soldiers (General Assembly 2016). Counterterrorist strategies will need to prevent that happening, even as all signs are currently pointing toward continued governance failings in the country, and an unstable post-conflict situation—if or when the conflict subsides.

Full-spectrum Counterterrorism

AQAP's shift toward governance has implications for future full-spectrum approaches to counterterrorism, which includes both "hard" or "direct," and "soft" or "indirect" lines of effort that must work together cohesively. Direct efforts include

military, defense, law enforcement, and criminal justice approaches, dealing with the more immediate threats through appropriate means and neutralizing security concerns. Indirect approaches involve more preventative efforts to deter the recruitment of persons, and steps to reduce the appeal that terrorist groups may offer to potential supporters or members. Indirect approaches often fall under the scope of preventing/countering violent extremism (P/CVE) policies, and can include a broad array of initiatives, such as education, development, and good governance, to name but a few. The undertaking of governance by groups such as AQAP has significant implications for how an overarching counterterrorism strategy in the country should develop. As I highlighted elsewhere (Cook, 2019a), this means that those involved in balancing, coordinating, and implementing diverse streams of effort must be constantly aware of the impact and implications of one stream on the others.

Good governance, economic development, and effective state justice mechanisms (among other indirect approaches) will still be required in Yemen to ensure long-term stability and must be owned and led by the Yemeni government with the support of international partners. In 2020 COVID-19 slammed Yemen, creating yet another humanitarian crisis, and the government's limited response to the virus has only opened another avenue for local grievance to be potentially exploited. Basic good governance for the whole population will require capacity-building, leadership, job skills, and empowerment for often marginalized groups such as women and the youth. Such policies will dry up the pool from which AQAP may recruit. However, while such work may in the long term reduce concerns related to terrorism, these should not be presented and driven as aspects of counterterrorism but, instead, as normal, sensible, and essential means of contributing to societal stability more broadly. Local partners implementing these reforms may face threats if they are seen to be associated with counterterrorism. Long-term security and stability should thus ensure long-term, consistent funding and support for enabling and maintaining good governance and economic development, while avoiding the controversial, even problematic, labelling of programs as "counterterrorism" where possible.[26]

Rights-based, Accountable Counterterrorism

Human rights-based and legally compliant approaches to counterterrorism become increasingly 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). Defense-related efforts tend to dominate the overall perception of programming in a country, even if development, humanitarian assistance, and other forms of support are also present. As such, when defense 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.

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 upward of 1,389 persons (including up to 225 civilians and fifty children), persons who have not faced trial (The Bureau for Investigative Journalism, 2021).[27] As highlighted in Cook (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 addressing grievances generated by US actions. The intergenerational grievances caused by such actions must also be acknowledged. It is also notable that the high rate of US air strikes in the country in 2017 deeply affected local perceptions of the United States. More recent reports from 2018 have highlighted the presence of US mercenaries in an "assassination program" run by the UAE in Yemen that targeted a number of al-Islah members, clerics, and terrorists (Roston, 2018).

Reports from 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 (Michael 2017). Human Rights Watch further documented at least four children who were detained or who forcibly disappeared (Human Rights Watch 2017). Such transgressions should be fully investigated, and any wrongdoing held to account in order to ensure that local populations can maintain trust in Yemeni authorities.

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.[28] Such actions by these international partners reduce local support 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 by 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 (Entous, Barnes & Coker, 2011).

A Nuanced Approach to AQAP

People join AQAP for a variety of reasons and counterterrorist policy needs to take this diversity into account. Some join for pragmatic reasons, such as to earn a wage to feed their families while some are ideologically motivated. A few may think that AQAP governance has righted wrongs or injustices caused by the government, and others join AQAP to defend Sunni Islam against the Huthis.

Viewing AQAP in all its complexity can help us better understand the group and its members and distinguish between what may be the hard-core, ideologically motivated, and dangerous supporters and those who may be weaned away the group. Counter terrorism may thus include 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 overall emphasis on meaningfully responding to local grievances. A kinetic-dominated approach will likely be ineffective and even counterproductive and risks targeting an ever-widening pool of varied supporters.

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, the 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, and thereby bolster long-term peace.

Women and the youth are key demographics that have historically been neglected in this space, even though youth are most at risk from AQAP recruiters. Women also suffer disproportionately from the instability that high levels of terrorism bring and can play influential roles in the family and in the community, including mediation, which can help prevent local conflicts from escalating (Cook 2016). Youth and women should be actively engaged and consulted in all full-spectrum approaches to counterterrorism as part of a broad attempt to ensure that society at large is engaged and has a stake in countering this concern and improving public safety and security (Cook, 2019a. See also Huckerby & Fakih, 2011).

Both the United States and the United Arab Emirates have also made extensive efforts over the years to train Yemeni security forces—a key component of good governance. While the United States has historically emphasized training and equipping counterterrorism-specific forces, the United Arab Emirates has more recently been training security forces (the Security Belt forces in and around Aden and the Elite forces in Hadhramaut and Shabwah, which were 90,000 strong in mid-2019 (France 24, 2019). In Mukalla, local police have been recruited and trained—some enlisting in response to the activities of AQAP in the city, including the murder of local security forces (Trew 2018b).

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. However, caution should also be exercised with regard to how these new forces are managed and supported going forward. For those who previously had close ties to AQAP in Yemen, and were integrated into the UAE's Security Belt Forces, their perception and satisfaction with the post-conflict outcomes could impact their willingness to remain with these forces, or return to AQAP—now with additional military

training and experience.[29] Unpaid salaries in the Security Belt Forces have already been cited as one reason the Southern Transition Council announced its self-administration in the south of the country, and could continue to generate grievances in the country.

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, new security forces remain relatively young, inexperienced, and were dependent on UAE support until September 2019,[30] but the UAE withdrawal from the country leaves the future status and funding of these forces less secure. Two additional initiatives would prove beneficial going forward. First, bringing new faces into security forces, such as women, will also provide an important outlet for all members of society to feel like they have access to these security forces. Second, 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. The UN documented extensive violations of international human rights law by all parties in Yemen between 2014 and 2020, including some committed by Security Belt Forces, which highlights the extent and gravity of this ongoing concern, the implications for long-term reconciliation, and the perception of justice and trust in the country for government actors (Human Rights Council 2020).

Conclusion

For Yemen, the most important step toward reducing present and future threats from AQAP is to end the current war. Until that happens there will continue to be opportunities for AQAP and ISY to seek power, influence, and a safe space from which to regroup and grow. Such opportunities for influence and activity may also be exploited by a growing number of Salafist militant groups that have emerged in the country since the onset of the current conflict. These have been particularly visible in Ta´izz where numerous groups have members with suspected ties to al-Qaeda (al-Maqtari 2017).

While military and police-dominated efforts will likely be required to address immediate threats, they should be part of a thoughtful, long-term, and balanced full-spectrum approach to security that 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 that these diverse streams of effort, including defense, diplomacy, governance, the economy, and development elements, work cohesively together toward 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 should ensure that these streams of effort are prioritized and receive sustained funding and resources. 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.

Notes

1 This chapter expands from Cook 2019b. As such, the author would like to thank Nadwa al-Dawsari, Adam Baron, Saeed al-Batati, and Elisabeth Kendall for their initial valuable comments and feedback.
2 This was largely concentrated in Abyan, Azan in Shabwah, and Mukalla, and to a much lesser extent in Qaifah in Baydha. A more comprehensive list of cases is featured at the end of Cook 2019b.
3 For a more expansive literature review, particularly discussing rebel governance, see Cook, Haid, and Trauthig 2020; Cook and Maher 2022 (forthcoming)
4 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.
5 For a more detailed history of al-Qaeda in Yemen, see Johnsen, 2013; Koehler-Derrick, 2011; and Murphy, 2010.
6 See START, 2019, at the University of Maryland for greater detail on attack frequency and targeting.
7 In some cases, tribal figures were also members of the state's security apparatus.
8 This local rejection of barbaric violence is one of the reasons why ISY has been unable to gain much support in the country.
9 There should always be a degree of skepticism 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.
10 This practice of paying for the care and support of "martyred" members, particularly those killed in US raids and drone strikes, is one which also featured in Yemen and continues to this day.
11 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.
12 Thanks to Nadwa al-Dawsari for highlighting this point.
13 This issue of jihadist courts is discussed at length in Cook et al. 2020.
14 Tribal justice mechanisms have a long history in Yemen and have often filled this role. However, tribal justice mechanisms too may face some resistance from local residents if seen as ineffective or unfair.
15 While local armed tribesmen had entered Mukalla forty-eight hours later in response to AQAP's invasion, their presence was short-lived. Ghobari and Mokhashaf 2015.
16 Thank you al-Batati for highlighting this point.
17 Thank you al-Batati for highlighting this point.
18 Thank you al-Batati for highlighting this point.
19 Thank you Al-Batati for highlighting this point.
20 Thank you al-Batati for highlighting this point.
21 Thank you Al-Batati for highlighting this point.
22 Kendall highlights how AQAP tried in multiple statements in 2017 to dissuade tribes in Hadhramaut from joining UAE forces. Kendall, 2018: 11.
23 At its peak in 2015, AQAP was active in eighty-two of Yemen's 333 districts. In November 2020, this was forty, according to figures from Carboni and Sulz 2020, p. 5.
24 Kendall 2019 further elaborates on a discussion of this rivalry between AQAP and ISY.

25 AQAP activity against the Huthis was particularly overt in locations such as Ta'izz and Aden.
26 For further discussion, see Cook, 2019a.
27 For further discussion of the gendered implications of counterterrorism in the country, see Cook 2017.
28 This sentiment is also echoed by Hartig, 2018.
29 For more on persons with ties to al-Qaeda in the Yemeni forces see Trew 2018a.
30 The payment of Security Belt and related forces has now been taken over by Saudi Arabia, with the UAE continuing to pay the STC salaries.

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