

THE CURIOUS TALE OF HOUTHI-AQAP PRISONER EXCHANGES IN YEMEN



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COVER PHOTO: AQAP MEMBERS STAND NEAR A TANK SEIZED FROM GOVERNMENT FORCES DURING FIGHTING IN THE LAHJ-ABYAN BORDER REGION IN 2012.



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INTRODUCTION

When Mohammed Ayidh al-Harazi was detained in Sana'a's high-security prison for political detainees in 2011, he had little reason to believe he would be out any time soon. As a senior figure in Al-Qaeda in the Arabian Peninsula (AQAP) who had gone below the radar of authorities for several years, he was seized during the protests that swept Yemen during the Arab uprisings. He had set up a tent at Change Square for a group he called *Shabab al-Umma* (Youth of the Nation), eventually attracting the attention of US and Yemeni intelligence agencies despite his new profile as merely one of thousands of activists campaigning for an end to the rule of Ali Abdullah Saleh. Al-Harazi appears to have been outed by opposition groups, who wanted to ensure US support for the uprising by proving they would be just as cooperative as Saleh had been on the critical issue of jihadi violence.^[1]

Even though Al-Harazi was no longer an active member of al-Qaeda he remained a person of interest to the US authorities. As someone who had studied in Sa'ada in 1996 at the Dar al-Hadith Institute, a center of traditional quietist Salafism, Al-Harazi had the educational background to make him a future senior figure in AQAP. He had lost an eye in 2008 during training in bomb-making in a village in Arhab district, north of Sana'a, and was known for his closeness to the organization's then-leader Nasser al-Wuhayshi.

Sentenced to 10 years in jail, Al-Harazi was suddenly released in 2016 in a prisoner exchange between Al-Qaeda and the Houthi movement that had seized power in Sana'a in 2014 – one of dozens of Al-Qaeda figures who were let go in prisoner swaps between 2016 and 2021. Al-Harazi was killed a few months later in a US drone strike in Al-Bayda governorate, along with his son Safwan and brother Fuad who were visiting from Sana'a. But his case is illustrative of a phenomenon the full details of which are only now coming to light through more than a dozen sources, including tribal figures, mainly from the governorates of Al-Bayda, Dhamar and Sana'a, former members of Al-Qaeda in Yemen and individuals close to the group, all of whom chose to speak on condition of anonymity for this article. The main period of research was in August-September 2021, but some interviews date back as far as 2015.

[1] During the protests, the Sunni Islamist Islah party led the way in calling on opposition forces to reassure the United States about continued cooperation in its war against jihadi groups in Yemen. Then-US ambassador to Yemen Gerald Feierstein praised Islah for its stance.

OVERVIEW OF AL-QAEDA DETAINEES

Yemen has a complex history when it comes to Al-Qaeda and the status of detainees. Former Minister of Endowments and Guidance Judge Hammoud al-Hitar famously instigated a dialogue with prisoners in 2002, which led to the release of men who went on to rejoin the ranks of Al-Qaeda despite declaring a renunciation of violence. Al-Qaeda figures themselves say the process was flawed. “The dialogue inside the prison was a farce, it lacked a conducive environment to pull it off, and even its organizers lacked conviction as to its usefulness. But they had a personal interest in declaring it successful,” said one of the released detainees, adding that Al-Hitar would simply ask prisoners to voice their statement of renunciation during sessions inside the jail.

Nonetheless, the former detainee argues it was to President Ali Abdullah Saleh’s credit that he supported the dialogues, which did lead to some detainees returning to normal life and prevent others from falling for Al-Qaeda’s doctrine of war against Muslim rulers and their Western backers. Saleh was able to win US support for both the rehabilitation of Al-Qaeda detainees and a war against them later in Abyan, Shabwa, Lahj and Marib.

But US faith in the process began to wane after 23 of Al-Qaeda’s leaders, including Al-Wuhayshi, escaped the Sana’a security prison in 2006 through a tunnel dug from one of the prison rooms to the outside, according to the official narrative.^[2] US authorities have consistently declined to repatriate Yemeni detainees at Guantanamo Bay, preferring to send them to the UAE, Saudi Arabia and other countries for rehabilitation for fear that in Yemen they would end up back with Al-Qaeda. Saudi detainees, by contrast, were sent to Saudi Arabia, whose rehabilitation scheme was praised by US officials.^[3] It was following the 2006 jailbreak in Yemen that the Saudi and Yemeni wings of Al-Qaeda merged, first as Al-Qaeda in the South of Arabian Peninsula and then as AQAP under al-Wuhayshi’s leadership in 2009. This served to intensify US doubts about how the Yemeni government was managing the jihadi file and raise questions about Saleh’s leadership.

[2] The prison is run by the political security apparatus (*jihaz al-amn al-siyasi*), an internal intelligence body.

[3] Matt Spetalnick, “U.S. sends nine Yemeni prisoners from Guantanamo to Saudi Arabia,” Reuters, April 16, 2016, <https://www.reuters.com/article/us-usa-guantanamo-idUSKCN0XD0ZU>; Marisa L. Porges, “The Saudi Deradicalization Experiment,” Council on Foreign Relations, January 22, 2010, <https://www.cfr.org/expert-brief/saudi-deradicalization-experiment>

PRISON RAIDS

When Abdo Rabbu Mansour Hadi took over from Saleh as president following the uprising, he tended to defer to US officials on policy toward Al-Qaeda and seek their approval on any issue regarding detainees. Hadi was tested early on when Al-Qaeda captured 64 soldiers in the governorate of Abyan in south Yemen in March 2012, in an attack that saw some 200 people killed and around 200 wounded. Hadi rejected out of hand an offer to swap the prisoners for Al-Qaeda detainees, and later in 2012 he also rejected a proposal that would have seen AQAP withdraw from Abyan in exchange for a prisoner release, despite the high cost of military operations to liberate the governorate.^[4]

Al-Qaeda developed a particular animus for Hadi as a result, viewing him as a weak leader. Speaking in June 2012 only months into Hadi's presidency, Qasim al-Raymi – who took over AQAP in 2015 after al-Wuhayshi's death in a US drone strike – said Hadi had given the Americans “more in a month than Saleh gave in ten years.”^[5] The United States was full of praise for Hadi, stating publicly in 2013 that he was more cooperative than his predecessor.^[6]

Faced with Hadi's unwillingness to strike deals, Al-Qaeda began to resort to prison raids to liberate its detainees. In February 2014 it launched an attack on the central prison in Sana'a, freeing 29 people and releasing a video to celebrate the event.^[7] Among other breakouts, they managed another in the southern coastal town of Mukalla in 2015, freeing dozens of figures including Khaled Batarfi, who succeeded Al-Raymi as leader in 2020 after Al-Raymi was also killed in a US strike.^[8] But after the Houthi movement seized power such risky operations were no longer necessary since the new authorities in Sana'a were happy to revive the policy of prisoner swaps.

[4] Author interviews with Al-Qaeda, Salafi and tribal sources in November and December 2021.

[5] “Interview: Leader in Al-Qaeda reveals controversial details about the massacre of the 70 [AR],” Aden al-Ghad, June 12, 2012, <https://www.adengad.net/public/printpost/12719>

[6] “Obama praises Yemeni leader, makes no mention of Guantanamo,” Reuters, August 2, 2013, <https://www.reuters.com/article/us-yemen-usa-idUKBRE9701H420130801>

[7] Mohammed Ghobari and Yara Bayoumy, “Yemeni authorities were warned ahead of AQAP prison raid: documents,” Reuters, May 6, 2014, <https://www.reuters.com/article/us-yemen-security-insight-idUSBREA4504Y20140506>

[8] “Yemen Prison Holding Al Qaeda Detainees Stormed,” Reuters, April 2, 2015, <https://www.nbcnews.com/news/world/yemen-prison-holding-al-qaeda-detainees-stormed-reuters-sources-n334461>

THE HOUTHIS RISE TO POWER

In the initial stages of their takeover in 2013 and 2014, the armed Houthi movement (*Ansar Allah*) had entertained the idea of attempting to neutralize international opposition to them by offering assurances about cooperation in the “war on terror”.^[9] But the launch in 2015 of Saudi Arabia’s US-backed war in an effort to reverse the Houthi hold on power changed the group’s calculations. Washington felt obliged to help Riyadh, its most important ally against jihadi groups, in dealing with what it viewed as a national security threat in the form of the Iran-linked Houthi government in Sana’a. This was despite the temptation among some US policymakers to work with the Houthis as the de facto power in north Yemen fighting AQAP, which remains in US eyes the Al-Qaeda branch presenting the most serious threat to the US mainland.^[10]

As a result, the Houthi authorities developed their own independent approach to the Al-Qaeda question, one detached from any obligations related to the US “war on terror”. The swelling ranks of Al-Qaeda detainees inside Houthi-controlled prisons were becoming a problem of space and money for a new government facing international isolation, embargo and war. The number of inmates doubled to over 400 following the Houthi coup against Hadi’s government in Sana’a.^[11] This was a financial burden that distracted from the new government’s political, economic and social priorities as it sought to stabilize its authority through organizing religious events, establishing ties with Yemeni business elites, and paying civil servants and military personnel. Yet going out on a limb with a policy of releasing AQAP militants was a strategy that risked opening the Houthi authorities up to further international opprobrium.

It was during fighting with Al-Qaeda in Al-Bayda governorate in 2015 that the Houthi forces came to consider prisoner swaps a good way of securing the release of its fighters, regardless of international concerns about deals with jihadis.

[9] The Houthi movement wanted responsibility for handling jihadi groups targeted by the United States as early as 2009 when the agreement it reached with Saleh’s regime contained an unwritten clause giving it authority to fight jihadis in the eastern governorates of Marib and Al-Jawf, according to Hassan Zeid (assassinated in Sana’a in 2021), former secretary general of the Zaidi-based Al-Haqq party.

[10] “Two Qaeda suspects among three killed in Yemen drone strike,” The Guardian, November 14, 2021, <https://guardian.ng/news/two-qaeda-suspects-among-three-killed-in-yemen-drone-strike/>

[11] Interview with released prisoner, November 2021.

Further, the Houthi authorities had no objections to any of the names on Al-Qaeda's roster of people it wanted released, so the negotiations focused solely on the question of numbers, not names. Al-Qaeda in turn realized that it could get its own people back by taking Houthi prisoners.^[12]

These were the circumstances in which dozens of AQAP prisoners were released in 2016, including Al-Harazi and the two sons of influential tribal Sheikh Tareq al-Fadhli (of the Al-Fadl in Abyan) in a large two-stage process. Al-Qaeda demanded a high price for Houthi prisoners who were from prestigious Hashemite families, given the importance of Hashemites in Zaidi ideology as descendants of the Prophet Mohammed. One Hashemite prisoner could get Al-Qaeda 20 or more of its prisoners back.^[13] The two parties also agreed to improve prison conditions, though media outlets that got wind of the better treatment Al-Qaeda detainees were receiving in Houthi-run prisons misreported it as a Houthi attempt to enlist them to fight on its side.^[14]

[12] Interviews with former Al-Qaeda figures, August-September 2021.

[13] Interviews with a source in Al-Qaeda, in 2015, 2016 and 2021.

[14] "The Houthi militia takes care of Al-Qaeda detainees in Sana'a prisons [AR]," Arabiya.Net, 10 June 2019, <https://bit.ly/3smtcWE>.

A DIFFERENT APPROACH

In 2014, shortly before the Houthi movement seized power, Al-Qaeda kidnapped a teacher who was close to the Houthi authorities called Abdelsalam al-Dawrani^[15] in an apparent effort to put pressure for the release of some Al-Qaeda militants in Sa'ada governorate.^[16] Houthi authorities didn't respond at the time, which was when they were expanding militarily throughout the northern governorates before taking Sana'a.

In 2015, the Houthi authorities offered a large sum of money to release Al-Dawrani, who was the maternal uncle of Mohammed al-Bukhaiti, a member of the Houthi political bureau. But Al-Qaeda declined the offer, raising its demands after Houthi forces took control of prison facilities in Sana'a. Al-Qaeda suspected that the Houthis' expansion was carried out with a green light from Washington to favor Shias at the expense of Sunnis in Yemen. In other words, before making any deals with the group, Al-Qaeda wanted to establish what the Houthi movement's position was vis-à-vis the US administration.^[17]

The Houthi authorities surprised Al-Qaeda in agreeing to release a number of militants, including senior figures, in exchange for Al-Dawrani's release. Chief mediator of the deal Ismail al-Jalei (secretary-general of the Mustaqbal party) went on to lead a mediation between Houthi forces and Saleh in late 2017 shortly before the president was killed in clashes between Houthi forces and his supporters,^[18] and Al-Qaeda continued to fear a shift in Houthi relations with Washington.

When the Houthi military first moved into Al-Bayda they had rebuffed the idea of prisoner swaps until Al-Qaeda called them out via a series of short videos titled "the Pleas of Houthi Prisoners" in which Houthi detainees beseeched their

[15] "Disappearance of Abdelsalam al-Dawrani for a third day [AR]," Almersad.net, April 8, 2014, <https://bit.ly/3GXfnCe>.

[16] Interviews with former Al-Qaeda figures and sources close to the group, August-September 2021.

[17] Interviews with former Al-Qaeda figures and sources close to the group, August-September 2021.

[18] "Historical testimony from Ismail al-Jalei, the final mediator [AR]," YouTube, December 8, 2017, <https://www.youtube.com/watch?v=mqodq35NRzA>

leaders to take action to ensure their release.^[19] Al-Qaeda correctly sensed that the Houthi movement would quickly make a deal to stop the videos, since they made the group look militarily weak and could impact its ability to recruit among tribes. This led to a bigger agreement by which Al-Qaeda was able to free dozens of members.

Further prisoner swaps were concluded in 2017, 2018, 2019 and 2021, through which Al-Qaeda managed to free dozens of figures, including Alawi Ali al-Ahmar al-Burkani, the son of Alawi al-Burkani (aka Abu Malik al-Lawdari), a well-known Al-Qaeda figure in Afghanistan during the Taliban rule.^[20]

[19] "Al-Qaeda issues a recording of Houthi prisoners [AR]," Yemen Press, 9 November 2020, <https://yemen-press.net/news127812.html>

[20] Al-Lawdari was an important leader in Al-Qaeda in Yemen and a member of the Arab-Taliban forces near Bagram fighting the Northern Alliance.

THE CASE OF SAIF AL-ADEL AND NIKBAKHT

In March 2015, Iran announced that special forces had succeeded in freeing Noor Ahmad Nikbakht, an Iranian diplomat kidnapped by Al-Qaeda in Yemen and held there since 2012. Sources close to Al-Qaeda say Nikbakht's release in fact was part of a three-way deal involving Al-Qaeda, Houthi authorities and Iran in which several Al-Qaeda leaders in Sana'a were freed in addition to the Egyptian Al-Qaeda leader Saif al-Adel, who Iran had been holding since 2003.^[21] It is still not clear what happened to Saif al-Adel in the end. There have been various reports in recent years over Al-Adel's whereabouts – that he is in Syria, Pakistan, still in Iran, or, according to one published report citing US officials, in Yemen.^[22]

Covert operations to free abductees held by Al-Qaeda in Yemen have rarely been successful. Despite some level of infiltration, Saudi Arabia was unable to locate its diplomat Abdullah al-Khalidi when he was abducted in 2012 from Aden, where he served as deputy consul – Al-Khalidi was finally released in 2015 for a large ransom.^[23] Journalist Luke Somers died during a botched US special forces attempt to rescue him from captivity in Shabwa in December 2014 after he was kidnapped from a street in Sana'a the year before.^[24]

[21] Fourth in Al-Qaeda's chain of command under Bin Laden, he was responsible for uncovering spies in Afghanistan when the US was trying to infiltrate the organization via operations managed from its Abu Dhabi embassy.

[22] Adam Goldman, "Top al-Qaeda operatives freed in prisoner swap with Iran," The Washington Post, September 18, 2015, https://www.washingtonpost.com/world/national-security/top-al-qaeda-operatives-freed-in-prisoner-swap-with-iran/2015/09/18/02bc58e2-5e0c-11e5-9757-e49273f05f65_story.html

[23] Hakim Almasmari, "Saudi diplomat in Yemen freed by al Qaeda," CNN, March 3, 2015; <https://edition.cnn.com/2015/03/03/world/yemen-saudi-diplomat-al-qaeda/index.html>

[24] Richard Engel, "U.S. Hostage Luke Somers Killed During Yemen Rescue Bid," NBC News, December 6, 2014; <https://www.nbcnews.com/news/world/u-s-hostage-luke-somers-killed-during-yemen-rescue-bid-n262911>

MEDIA MISREPORTING

Pro- and anti-Houthi media outlets often misreported prisoner exchanges as arrangements between Houthi forces and the anti-Houthi axis (such as Hadi's government, allied resistance forces and tribal forces) in an apparent effort to conceal the fact that they were deals made with Al-Qaeda. In one such case relatives of Ali al-Mansouri, the Houthi-appointed governor of Al-Bayda, were freed along with the body of a Houthi leader in exchange for a number of senior Al-Qaeda figures in Sana'a, including Alawi al-Ahmar al-Burkani. Al-Qaeda had carried out an ambush at Al-Hazmiya Front in Sawma'ah district, resulting in the capture of Al-Mansouri's son and grandson, and the death of a Houthi leader named Naim Nasir al-Jawfi. Pro-government media outlets attributed the ambush to government forces rather than Al-Qaeda.^[25] Al-Qaeda remains the strongest group in Sawma'ah district, but neither party had an interest in publicizing this.

While it is not clear how many Al-Qaeda detainees are currently inside Houthi-run prisons it appears that over half of them have been released in exchange deals since 2016. According to one source close to Al-Qaeda, the figure could be as high as 70 percent and talks are ongoing to free the remaining number. Since most of AQAP's more senior members have already been freed, those left are mainly lower-rank figures in the group's chain of command.

This year Hadi's government presented a report to the UN Security Council detailing claims of Houthi relations with Al-Qaeda and the Islamic State group, but it contained gaps and mistakes on the issue of detainees, including omitting those captured since the Al-Bayda clashes in 2014.^[26] Among those released it listed figures like Sami Dayyan, who sources close to Al-Qaeda say is still in prison and, while a Salafi in political orientation, is not a member of the jihadi group. On the other hand, Jamal al-Badawi, who previously served time in jail for his role in the 2000 attack on the USS Cole in Aden, was released by the Houthi

[25] "Death of dozens of Houthis in an ambush and Al-Bayda resistance rejects Houthi mediation to release the son the Houthi-appointed governor [AR]," Al-Mashhad al-Yamani, April 20, 2020, <https://www.almashhad-alyemени.com/163765>

[26] "Memorandum to the UN Security Council: Houthi militias are cooperating with al-Qaeda and ISIS [AR]," al-Watan, 1 April 2021, <https://alwatan.ae/?p=769546>; details of the report can be read here: "Yemen government gives Security Council documents about Houthi-terrorism links [AR]," Asharq al-Awsat, April 1, 2021, <https://bit.ly/3qef9Qw>

authorities at Al-Qaeda's request not because he was a member – he left in 2012 – but because of a sense of injustice he had faced.^[27] He had voluntarily handed himself in to the authorities under the Saleh regime, was released and then jailed again due to US pressure but was killed in a US airstrike in 2019 after being freed in one of the Houthi-era swaps.

[27] Interview with a former Al-Qaeda member, August 2021.

CONCLUSION

In less than five years, AQAP managed to liberate most of its detainees held in Houthi-run prisons by swapping them for Houthi militants caught during fighting between the two sides in Al-Bayda governorate in 2015. As a result, Al-Qaeda was able to strengthen its ranks with dozens of released prisoners, helping it overcome a crisis of membership due to an inability to attract new elements.^[28]

The release of Al-Qaeda detainees has been a blow to international efforts in the fight against terrorism, poses a threat to the lives of people in the areas where Al-Qaeda and other jihadi groups are active, and presents a further obstacle to efforts to end the war and create a lasting peace settlement. The Houthi movement's international isolation has encouraged them to deal with the detainees as a purely Yemeni affair, without regard for the wider implications of their release for the security of the region and beyond.

[28] Abdelrazzaq al-Jamal, "Al-Qaeda's Decline in Yemen: An Abandonment of Ideology Amid a Crisis of Leadership," Sana'a Center for Strategic Studies, September 29, 2021, <https://sanaacenter.org/publications/analysis/15138>

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