



Freedom of the Press 2013 - Yemen

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2013 Scores

Press Status: Not Free

Press Freedom Score: 79

Legal Environment: 25

Political Environment: 31

Economic Environment: 23

While the 33-year rule of President Ali Abdullah Saleh ended in February 2012, many of the repressive actions against journalists that were perpetrated under his regime continued throughout the year. Journalists and media workers faced attacks, intimidation, and harassment by government security forces, tribal groups, and loyalists of the outgoing president. Laws circumscribing press freedoms and special courts designed to prosecute journalists remained in place under the new president, Abdu Rabu Mansur Hadi. However, Yemen took a step toward greater media freedom in April, when the parliament approved a freedom of information law.

The constitution allows for freedom of expression "within the limits of the law," and the relevant laws are restrictive. The Press and Publications Law of 1990 requires journalists to uphold "national unity" and adhere to the "goals of the Yemeni revolution." Article 103 bans criticism of the head of state and defamation of "the image of Yemeni, Arab, or Islamic heritage." Article 104 prescribes fines and up to one year in prison for violations. Calls to repeal problematic portions of the 1990 law have so far been ignored by the new government.

A new draft Press and Publications Law and a repressive draft Audiovisual and Electronic Media Law remained pending in the parliament in 2012. The former would expand the prohibition on insults to the president to include leaders of allied states, among other restrictions. The latter would subject electronic media and online news sources to the same constraints as in the Press and Publications Law. It would also impose prohibitive licensing fees on private broadcasters and internet media outlets.

Two specialized courts, established in direct contravention of the constitution, are regularly employed to prosecute journalists. The Specialized Criminal Court, established in 1999 to handle cases of national security, targets both the government's political opponents and journalists, while the Specialized Press and Publications Court (SPPC), established in 2009, tries cases related to the media. Judges at the SPPC may choose from a variety of laws, including the penal code, to punish journalists, and the prosecutor can refer cases to the court at his discretion. Charges against Al-

Ayyam editor Hisham Bashraheel were dropped after his death from an illness in June 2012. The trial of several other *Al-Ayyam* journalists, including Bashraheel's two sons, Hani and Mohammed, continued in the specialized tribunal. The proceedings, derided as a "farce" by media watchdog organizations, stem from a 2009 government raid on the Aden-based newspaper, which authorities subsequently shut down. The charges against Bashraheel and his codefendants included "inciting violence," "instigating separatism," and "forming an armed gang." Prior to its closure, *Al-Ayyam* was Yemen's largest-circulation daily and was often critical of the president; it had been reporting on the secessionist movement in the south of the country. In 2011, the Specialized Criminal Court convicted journalist Abdulelah Haider Shaye of terrorism and sentenced him to five years in prison. His case underscored the dangers Yemeni journalists face when covering sensitive topics such as corruption and terrorism. Shaye was convicted after reporting on U.S. responsibility for military strikes that killed civilians. His arrest also came after he conducted an interview with Anwar al-Awlaki, a well-known Al-Qaeda operative in Yemen, for Qatar's Al-Jazeera television network in 2009. Although Saleh was reportedly prepared to pardon Shaye shortly after his conviction, he remained in prison at the end of 2012 due to pressure from the U.S. government.

In a related development, the trial of two Yemeni journalists working for Al-Jazeera continued in 2012. Ahmed al-Shalafi and Hamdi al-Bukari were charged with "operating outside the bounds of the law," having covered antigovernment demonstrations in 2011 after Al-Jazeera's accreditation had been revoked. The Ministry of Information had decided to drop the charges in 2011, but the SPPC later opted to proceed with the case.

In June 2012, Yemen finalized a freedom of information law that had been passed by the parliament in April, becoming just the second Arab country, after Jordan, to enact such legislation. Freedom of information advocacy groups rated the law highly, although the quality of implementation had yet to be seen.

Yemeni news outlets and journalists must obtain licenses annually from the Ministry of Information, and printing houses must maintain a registry of printed materials and submit copies to the ministry. New television stations and news websites have sprung up in the wake of the 2011 uprising. Most offer news that is slanted to match the views of the person or organization that owns them, and employees feel pressure to adhere to specific editorial agendas. According to the Freedom Foundation, a Sanaa-based media and human rights organization, at least nine newspapers' press runs were confiscated for some period of time in 2012. Not all of the confiscations were conducted by government agencies; some were carried out by local political groups. Self-censorship is common, and journalists know not to cover "red-line" topics such as rebel movements in the north and south of the country. The government controls editorial policy on these issues at state-owned outlets, but Yemenis who can afford it have access to satellite news channels, which have covered both conflicts with greater freedom.

The authorities sometimes interfere with internet access. In 2011, for example, the government blocked access to Skype, the popular online telecommunications tool, after it discovered that journalists were using the service to conduct interviews; the site continued to be blocked in 2012. *Al-Hawyah*, an online opposition newspaper that was shut down in 2009 for allegedly supporting terrorism, was able to resume publishing in early 2012. Despite such incidents, individuals are free to create websites, and a growing number of blogs carry diverse and independent views.

No journalists were murdered in 2012, an improvement over 2011, when two were killed. However, media workers continued to be harassed, beaten, and detained during the year. The Freedom Foundation documented 263 violations against media personnel, including attacks, arrests, abductions, confiscation of newspapers, and attempted murder. Mohamed al-Maqaleh, a prominent investigative journalist who writes frequently about Yemen's tribal factions, was attacked in April by armed tribesmen while visiting the defense minister's house in Sanaa. Also in April, Anwar al-Bahri, an editor for the state-run news agency Saba, was beaten in his home in Sanaa by men identified as members of an influential tribe, and Wael al-Absi, a photographer

covering a protest in Taiz for the news website Al-Eshtiraki, was beaten by security forces. In May, Hissam Ashour, a journalist with *Al-Nada* who had previously written about corruption, survived an attempt on his life.

The government controls most news outlets, including the country's 4 terrestrial television stations and 12 radio stations, which are operated by the Yemen General Corporation for Radio and Television. Two new private radio stations, the first ever in Yemen, were established in 2012. At least 10 private television stations broadcast into Yemen from outside the country, increasing the diversity of news coverage available to residents. Only a handful of newspapers provide independent views. The state also controls distribution outlets and advertising, undermining the ability of the press to operate without economic pressure.

Due to low literacy rates, most Yemenis still get their news from television and radio, but social-networking sites have been gaining popularity, according to a 2012 report issued by the Doha Centre for Media Freedom. In 2012, more than 17 percent of the population had access to the internet, though poor infrastructure makes connections unreliable. The government owns the country's two internet service providers. While news websites often operate with a small budget, the internet has also given some newspapers greater reach. The English weekly *Yemen Post* has reported receiving more than 60,000 visits to its website per day, far exceeding its print circulation.

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