



Freedom in the World 2016 - Yemen

Year:

2016

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

6

Aggregate Score:

17

Freedom Rating:

6.5

Overview:

Yemen collapsed into civil and regional war in 2015. Tensions between Houthi forces, which had occupied Sanaa in late 2014, and President Abd Rabbu Mansur Hadi's government continued into the early part of the year, when efforts to negotiate an end to the political stalemate between competing forces broke down. In January, Houthi leaders rejected a new constitution that would have led to the creation of a federated Yemen and decentralized power. Soon thereafter, Hadi resigned as president and fled the country, eventually settling in Saudi Arabia. Violence between the Houthis and supporters of the fallen president escalated in the spring as Houthi forces began marching south from Sanaa toward Aden, establishing control over large parts of the country. Houthi forces enjoyed the backing of ex-president Ali Abdullah Saleh, who was ousted from power in 2012 but has remained politically influential.

In March, concerned about the possibility of total Houthi control in Yemen, Saudi Arabia led a small coalition of Arab states in a war against the Houthis that continued through the end of the year. The campaign, in combination with a Saudi naval blockade preventing food, medicine, and other humanitarian aid from entering the country, resulted in thousands of deaths and widespread destruction. Hadi returned to Aden from his self-imposed exile on several occasions in September and November to supervise the campaign to retake control of Yemen, but by year's end neither the warring parties nor international brokers appeared positioned to decisively end the conflict.

Against this backdrop, Al-Qaeda in the Arabian Peninsula (AQAP) carried out regular bombings during the year. In addition, supporters of the Islamic State (IS) militant group began attacks in Yemen for the first time, killing hundreds in coordinated bombings. The United States continued to carry out regular drone strikes against al-Qaeda in Yemen.

Trend Arrow:



Political Rights and Civil Liberties:

Political Rights: 4 / 40 (-5) [Key]

A. Electoral Process: 2 / 12 (-1)

Under the existing constitution, the president is elected for seven-year terms and appoints the 111 members of the largely advisory upper house of parliament, the Majlis al-Shura (Consultative Council). The 301 members of the lower house, the House of Representatives, are elected to serve six-year terms. Provincial councils and governors are also elected.

Parliamentary elections have been repeatedly postponed. The original six-year mandate of the current parliament expired in 2009, and elections were put off again in 2011 amid a popular uprising against longtime president Ali Abdullah Saleh. In November of that year, under sustained pressure from the United States, the United Nations, and the Gulf Cooperation Council, Saleh signed a Saudi-brokered agreement that transferred his powers to then Vice President Hadi in exchange for immunity from prosecution for his role in the violent crackdown on antigovernment protests that year. In February 2012, Yemeni voters confirmed Hadi, who ran unopposed, as interim president with a two-year term. In January 2014, the multiparty National Dialogue Conference (NDC), a months-long initiative in which more than 500 delegates aimed to reach agreement on Yemen's political future, concluded with a plan to transform the country into a federated state of six regions, which would be ratified in a new constitution. Hadi's term was extended at that time until the reforms proposed by the NDC could be finalized in a new constitution.

However, the constitutional drafting process and elections schedule were thrown into disarray by a rebellion of the Houthis, a Shiite Muslim population in the country's northwest. Houthi forces took over large swaths of the country, eventually occupying Sanaa in September 2014. A new cabinet was announced in November of that year as part of the UN-brokered deal with the Houthis. In January 2015, Houthi leaders extracted concessions from the Hadi government that would have created a power-sharing arrangement in exchange for their withdrawal from the capital. However, the Houthis subsequently refused to evacuate Sanaa and turn over control of key government installations. In response, President Hadi and his cabinet resigned their positions, resulting in a total collapse of the government and the intensification of Houthi efforts to establish control over the rest of the country.

B. Political Pluralism and Participation: 1 / 16 (-3)

Although the political system was long dominated by Saleh and his party, the General People's Congress (GPC), Yemen's relatively well-developed and experienced opposition parties had historically been able to wring some concessions from the government. The 2012 ouster of Saleh was accomplished through a sustained campaign of protests motivated primarily by frustration with imbalances of power and high levels of corruption, but also by lack of access to decision-making and political participation by regular citizens.

However, the Houthis now dominate the political system. They are vigorously challenged by opposing domestic and international forces, including Saudi Arabia, where the Hadi government fled in exile. Following the support of the opposition Islah political party for the Saudi-led airstrikes, Houthi forces systematically persecuted their associates, forcibly disappearing more than 100 members in April and shuttering a number of affiliated organizations throughout the year.

C. Functioning of Government: 1 / 12 (-1)

After coming to power in 2011, Hadi and the central government had struggled to consolidate authority. Aside from competition between warring factions, the network of corruption and patronage established under Saleh remained entrenched in public institutions, creating additional obstacles to political compromise. Efforts by the NDC to create a viable reformed political system seemed to crystallize in late 2014 with the writing of a constitution. But in January 2015, Houthi leaders rejected the new constitution and the proposed concept of a federal system. Following the collapse of the Hadi government later that month, Houthi forces announced in February their formal takeover of the government, dissolving parliament and assuming control of the executive branch.

Despite efforts by the government to fight endemic corruption, Yemen lacks most legal safeguards to combat it. Yemen was ranked 154 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index. The Houthi advance, rejection of the constitution, and the resignation of the president and prime minister have effectively ended government accountability.

Civil Liberties: 13 / 60 (-3)

D. Freedom of Expression and Belief: 5 / 16 (-1)

Legislation such as the Press and Publications Law restrict reporting. The government controls most terrestrial television and radio, though there are several privately owned radio stations. Access to the internet is not widespread, and authorities have blocked websites they deem offensive.

Though the state's ability to enforce its oppressive legal regime is diminished by the war, spaces and opportunities for free expression have been as well. In 2015, attacks on journalists and the media increased dramatically, with abuses committed by both Houthi and pro-Hadi forces. Since gaining control of Sanaa, the Houthis have systematically persecuted journalists and attempted to manipulate media coverage of their activities. By March 2015, nearly 70 press freedom violations by Houthi forces had already been reported, including threats, kidnappings, and confiscations of equipment. At the start of April, the international coalition forces backing Hadi announced that all Houthi-affiliated media were military targets. That month, a coalition airstrike hit the offices of the television station Yemen Today, killing a journalist and three other people. Two additional journalists were killed by an airstrike in May after being kidnapped by Houthi rebels. Houthi abductions of journalists are common; Reporters without Borders reported that 11 were being held at the end of August.

Islam is the official religion, and the constitution declares Sharia (Islamic law) to be the source of all legislation. Yemen has few non-Muslim religious minorities, and their rights are generally respected in practice, though conversion from Islam and proselytizing to Muslims is prohibited. The outbreak of war has inflamed sectarian tensions between the Shiite Houthis and Sunni militant

groups. In March 2015, more than 130 people were killed by suicide bombers at two Shiite mosques in Sanaa. Further blasts hit three Shiite mosques in June.

Strong politicization of campus life, including tensions between supporters of the GPC and the Islah party, infringes on academic freedom at universities. The war in 2015 led to damage to school facilities across the country, periodic suspensions of classes and other activities at schools and universities, and deaths of children who were inside schools that were bombed.

E. Associational and Organizational Rights: 3 / 12

Yemenis have historically enjoyed some freedom of assembly, with periodic restrictions and sometimes deadly interventions by the government. There were frequent demonstrations against both Houthi expansion and Saudi military aggression in 2015. In January and February, Houthi forces violently broke up pro-Hadi protests in Sanaa, making several arrests and firing live rounds. At least six people were killed by Houthi forces in the city of Torba in March while protesting the group's presence there.

Freedom of association has historically been constitutionally guaranteed. Several thousand nongovernmental organizations (NGOs) work in the country, though their ability to operate is restricted in practice. In April 2015, Houthi forces shut down four NGOs associated with political groups opposed to their rule, and detained a number of their employees and associates. The law acknowledges the right of workers to form and join trade unions, but in practice these organizations have little freedom to operate. Virtually all unions belong to a single labor federation, and the government is empowered to veto collective bargaining agreements.

F. Rule of Law: 2 / 16

The judiciary is nominally independent, but it is susceptible to interference from the executive branch and political factions. Authorities have a poor record of enforcing judicial rulings, particularly those issued against prominent tribal or political leaders. Lacking an effective court system, citizens often resort to tribal forms of justice and customary law, practices that have increased as the influence of the state has continued to deteriorate. Arbitrary detention is common, stemming in part from inadequate training for law enforcement officers and a lack of political will among senior government officials to eliminate the problem. Security forces affiliated with the Political Security Office (PSO) and the Interior Ministry torture and abuse detainees, and PSO prisons are not closely monitored. The war has periodically halted the operations of some municipal and judicial offices, although the Ministry of Justice continued to operate under Houthi influence.

The outbreak of war has resulted in widespread violence across the country, the destruction of critical infrastructure, and thousands of deaths and injuries. Saudi airstrikes have not always distinguished between military and civilian targets. Several hospitals and clinics operated by Doctors without Borders were bombed throughout the year in what observers believed to be deliberate attacks. The United Nations estimated that nearly 3,000 people were killed and more than 5,000 wounded in the fighting by the end of 2015.

In addition, forces loyal to AQAP used the opportunity created by fighting between the Houthis and Saudi Arabia to carry out attacks during the year. The United States continued an aggressive bombing and drone campaign against Al-Qaeda forces in the country. ISIS loyalists also claimed to have carried out attacks in Yemen for the first time in 2015.

Yemen is relatively ethnically homogeneous. However, the Akhdam, a small minority group, live in poverty and face social discrimination. Thousands of refugees fleeing war and poverty in the Horn of Africa are smuggled annually into Yemen, where they faced increased violence in 2015.

Same-sex sexual activity is illegal, with possible penalties including lashes, imprisonment, and death. Due to the severe threats they face, few LGBT (lesbian, gay, bisexual, and transgender) Yemenis reveal their sexual identity in public. The war has disrupted relatively robust informal networks of LGBT people that had existed in many of Yemen's major cities. The resurgence of the religiously conservative Houthi movement has reportedly increased anti-LGBT sentiment.

G. Personal Autonomy and Individual Rights: 3 / 16 (–2)

Freedom of movement, property rights, and business activity are impaired by the security situation and corruption. In November 2015, Houthi officials prevented Shafiq al-Wahsh, a leading Yemeni women's rights advocate, from traveling to Egypt and Jordan to participate in peace talks, though they did allow 16 other delegates to attend. Internal displacement increased rapidly over the course of the year, with more than 2.5 million internally displaced persons by year's end. Saudi Arabia imposed a naval blockade on the country for most of the year, leading to shortages of food, medicine, fuel, and other essential imports, and resulting in dire humanitarian conditions.

Women continue to face discrimination in many aspects of life. A woman must obtain permission from her husband or father to receive a passport and travel abroad, cannot confer citizenship on a foreign-born spouse, and can transfer Yemeni citizenship to her children only in special circumstances. Women are vastly underrepresented in public office; there was just one woman in the lower house of parliament before it was dissolved. School enrollment and educational attainment rates for girls fall far behind those for boys. In December 2015, terrorists shut down several faculties at the University of Aden in order to enforce gender segregation in classrooms. Yemen's penal code allows lenient sentences for those convicted of "honor crimes"—assaults or killings of women by family members for alleged immoral behavior. Although the law prohibits female genital mutilation, it is still prevalent.

The war increased the risk of human trafficking in Yemen, and the government was no longer able to pursue antitrafficking efforts it had previously begun.