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Freedom in the World 2015 - Yemen

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2015 Scores

Status: Not Free

Freedom Rating (1 = best, 7 = worst): 6.0

Civil Liberties (1 = best, 7 = worst): 6

Political Rights (1 = best, 7 = worst): 6

Trend Arrow: ↓

Yemen received a downward trend arrow due to the Houthi militant group's seizure and occupation of the capital city, its forced reconfiguration of the cabinet, and its other demands on the president, which paralyzed Yemen's formal political process.

OVERVIEW

Yemen moved closer to political collapse in 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 in January with a plan to transform the country into a federated state of six regions, which would be ratified in a new constitution. Dissatisfied with the terms of the deal and with a fragile ceasefire between themselves and Salafi and tribal fighters in their region, supporters of the Houthi rebel movement – rooted in the Zaidi sect of Shiite Islam – began to occupy additional territory in the North in February. The government stoked Houthi unease when it ended fuel subsidies in July, leading to calls for civil disobedience and the convergence of tens of thousands of Houthi supporters in encampments around Sanaa. Large Houthi protests occurred regularly in late summer and early fall, including unrest in the capital and an attempted attack on the cabinet in September.

The United Nations brokered a deal that month calling for the formation of a unity government, but armed Houthi fighters had effectively occupied Sanaa by the end of September and continued to expand their control, moving into the western port city of Hodeida in October. Although a new cabinet that included Houthi members was announced in November, sharp political disagreements persisted. The rebels clashed regularly with elements of the military and Al-Qaeda in the Arabian Peninsula (AQAP) during the last quarter of the year, causing hundreds of deaths. The year ended without a resolution to the crisis.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 9 / 40 (-1)

A. Electoral Process: 3 / 12

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.

However, past elections have been marred by flaws including vote buying, the partisanship of public officials and the military, and exploitation of state control over key media platforms. Moreover, 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 2011, 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 Yemen's vice president, Abdu Rabu Mansur Hadi, in exchange for immunity from prosecution for his role in the violent crackdown on antigovernment protests that year. Mohammed Basindawa, an independent, was named prime minister in December, replacing Ali Muhammad Mujawar of Saleh's General People's Congress (GPC) party. In February 2012, Yemeni voters confirmed Hadi, who ran unopposed, as interim president with a two-year term. His term was extended in early 2014 until the reforms proposed by the NDC could be finalized in a new constitution.

The new cabinet announced in November 2014 as part of the UN-brokered deal with the Houthis was headed by Prime Minister Khaled Bahah, another independent.

B. Political Pluralism and Participation: 4 / 16

Although the political system was long dominated by Saleh and the GPC, Yemen's relatively well-developed and experienced opposition parties have historically been able to wring some concessions from the government. The 2011 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.

As part of the 2011 transition agreement, and after several delays, the government and opposition launched the NDC process in 2013. The conference, though boycotted by some in the opposition,

was attended by 565 delegates, including representatives of the southern separatist movement and Houthi rebels from the north. The NDC's concluding settlement in January 2014 called for a new constitution that would grant greater autonomy to both northern and southern provinces, decentralizing power and creating a federation of six regions. A final draft of the new charter had yet to be submitted at year's end.

A variety of armed factions exerted influence over political affairs during 2014, as did Saleh and his supporters within the GPC and the military. In November, the UN Security Council imposed sanctions on Saleh and two Houthi commanders, accusing them of working to destabilize the country. Saleh had been suspected of encouraging Houthi aggression as part of a bid to reclaim power.

C. Functioning of Government: 2 / 12 (-1)

Since coming to power in 2011, Hadi has struggled to consolidate his authority. The Houthis, tribal groups, AQAP, and southern separatists all challenged the central government's control over Yemeni territory during 2014, and a network of corruption and patronage established under Saleh remained entrenched in public institutions. The Houthi occupation of the capital and effective ouster of the cabinet represented a new low in the government's ability to determine and implement its own policies.

Despite recent efforts by the government to fight endemic corruption, Yemen lacks most legal safeguards against conflicts of interest. Auditing and investigative bodies are not sufficiently independent of executive authorities. Yemen was ranked 161 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Civil Liberties: 16 / 60

D. Freedom of Expression and Belief: 6 / 16

The government does not respect freedoms of expression and the press. Article 103 of the Press and Publications Law bans direct personal criticism of the head of state and publication of material that "might spread a spirit of dissent and division among the people" or that "leads to the spread of ideas contrary to the principles of the Yemeni Revolution, [is] prejudicial to national unity or [distorts] the image of the Yemeni, Arab, or Islamic heritage." The government controls most terrestrial television and radio, though several privately owned radio stations have opened since 2012. Access to the internet is not widespread, and the authorities block websites they deem offensive. Some websites and forums where political debate takes place are blocked due to security concerns.

Although they diminished in scale after the 2011 protest movement receded, attacks on the media have continued. In May 2014, Yemeni authorities expelled American freelance journalist Adam Baron without explanation; his reporting on the country's counterterrorism campaign had reportedly angered both Yemeni and U.S. officials. In June the army raided and shut down a newspaper and television station owned by former president Saleh. The government also restricted efforts by Qatar's Al-Jazeera network to report on violence in the provinces during the year. Abdul Rahman Hamid al-Din of state-run Sanaa Radio was fatally shot in the capital under unclear circumstances in August, and American freelance reporter Luke Somers was killed in December during an attempt by U.S. forces to rescue him from AQAP, which had held him hostage for over a year.

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.

Strong politicization of campus life, including tensions between supporters of the GPC and the opposition party Al-Islah, infringes on academic freedom at universities.

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, as during the 2011 uprising. Over the past four years, southern Yemenis have mounted growing protests to challenge official corruption and abuse of power, the marginalization of southerners in the political system, and the government's inability to address pressing social and economic concerns. The protest movement has called for secession by the south, although several of the movement's leaders agreed to participate in the NDC in 2013. In November 2014, security forces killed one demonstrator and wounded four others in Aden as tens of thousands of southern separatists marched in commemoration of the 47th anniversary of the end of British colonial rule. Also in Aden, police shot and killed the prominent southern political activist Khaled al-Junaid in December, sparking protests.

Freedom of association is constitutionally guaranteed. Several thousand nongovernmental organizations work in the country, although their ability to operate is restricted in practice. The law acknowledges the right of workers to form and join trade unions, but some critics claim that the government and ruling party elements have increased efforts to control the affairs of these organizations. 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 on 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 or direct appeals to executive authorities. 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.

In addition to insecurity associated with the Houthi rebellion and the political crisis in the capital, Yemen suffered from tribal and terrorist violence during 2014. In May and July, separate attacks on the country's most important oil pipeline temporarily interrupted exports. AQAP carried out attacks against military and nonmilitary targets throughout the year. A particularly devastating pair of suicide bombings killed at least 67 people in October. In December a suicide bomber likely affiliated with AQAP targeted Houthis in the city of Ibb, killing at least 30 people commemorating the birthday of the prophet Muhammad. Meanwhile, the Yemeni and U.S. militaries continued an aggressive bombing and drone campaign against Al-Qaeda forces in the country.

Yemen is relatively ethnically homogeneous. However, the Akhdam, a small minority group, live in poverty and face social discrimination. Separately, thousands of refugees fleeing war and poverty in the Horn of Africa are smuggled annually into Yemen, where they are routinely subjected to theft, abuse, and even murder.

Same-sex sexual activity is illegal, with possible penalties including lashes, imprisonment, and death. In 2013 there were credible reports of AQAP killing men for allegedly being gay. Due to the severe threats they face, few LGBT (lesbian, gay, bisexual, and transgender) Yemenis reveal their status.

G. Personal Autonomy and Individual Rights: 5 / 16

Freedom of movement, property rights, and business activity are impaired by insecurity and corruption. Many Yemenis rely on migrant work in Persian Gulf countries, where their rights are often precarious. Hundreds of thousands of Yemenis were abruptly deported from Saudi Arabia during a crackdown on foreign workers in 2013.

Women continue to face discrimination in several 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 their children only in special circumstances. Women are vastly underrepresented in public office; there is just one woman in the lower house of parliament. School enrollment and educational attainment rates for girls fall far behind those for boys.

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.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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