



Freedom in the World 2017 - Yemen

Publisher [Freedom House](#)

Publication Date 12 July 2017

Cite as Freedom House, *Freedom in the World 2017 - Yemen*, 12 July 2017, available at: <http://www.refworld.org/docid/59831e733.html> [accessed 20 October 2017]

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Freedom Status: Not Free

Aggregate Score: 14/100 (0 = Least Free, 100 = Most Free)

Freedom Rating: 6.5/7 (1 = Most Free, 7 = Least Free)

Political Rights: 7/7 (1 = Most Free, 7 = Least Free)

Civil Liberties: 6/7 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 27,500,000

Capital: Sanaa

GDP/capita: \$1,406

Press Freedom Status: Not Free

OVERVIEW

Yemen has been devastated by a civil war that began in 2015, when incumbent president Abd Rabbu Mansur Hadi fled the capital and foreign powers led by Saudi Arabia intervened to support his government against the Houthi rebel movement – rooted in the Zaidi Shiite community, which forms a large minority in Yemen – and allied forces linked to former president Ali Abdullah Saleh. The civilian population has suffered from direct violence by both sides, as well as hunger and disease caused by the belligerents' interruption of trade and aid. Elections are long overdue, normal political activity has halted, and key state institutions have ceased to function across the country. Terrorist networks have taken advantage of the disorder, seizing territory in some areas and encouraging sectarian hostility.

Key Developments in 2016:

- Several rounds of peace talks and abortive cease-fires during the year failed to halt the civil war, and the United States and some European allies continued to support the Saudi-led coalition, including by providing weapons, logistical aid, and intelligence for military targeting.
- The United Nations estimated in August that at least 10,000 people had been killed during the war to date. A cholera outbreak in October presented a new threat, sickening more than 12,700 people and killing nearly 100 by year's end.

- Civilian activists, aid workers, and journalists were targeted by combatants. At least six journalists were killed in connection with their work during the year, and several others were abducted.

Executive Summary:

In July 2016, as Yemen's civil war continued with no end in sight, the Houthi rebel movement and former president Saleh's political party announced plans to form a new government. In August they appointed a 10-person Supreme Political Council, which in turn declared the formation of the new government in November. The unconstitutional process was not recognized by the international community.

Although the rebel forces controlled the capital and much of the country's north and west, the Hadi government and its allies – headed by Saudi Arabia – attempted to press in on this territory from all directions, particularly from their base in the southern port of Aden. A Saudi-led air campaign supported by the United States and some European governments struck civilian infrastructure and population centers throughout the year, repeatedly hitting medical facilities. In an especially deadly attack in October, an air strike on a funeral in Sanaa killed at least 140 people. The Saudi-led coalition reportedly used internationally banned munitions, such as cluster bombs, that tend to increase civilian casualties. Several rounds of peace talks during the summer and late fall, including a series of short cease-fires, failed to make significant progress.

The war, combined with a blockade that prevented food, medicine, and other vital supplies from reaching rebel-held areas, intensified hardships for civilians during the year. The United Nations estimated that more than half of the population lacked adequate access to food and that 2 to 3 million people were internally displaced. The majority of Yemen's health facilities were shuttered or not fully functioning by the end of 2016, crippling the country's ability to stem a cholera outbreak that began in October.

Two major extremist groups, Al-Qaeda in the Arabian Peninsula (AQAP) and the Islamic State (IS), retained pockets of territory in the southeast and carried out terrorist attacks throughout the year. The pro-Hadi coalition was at times accused of tacitly cooperating with Sunni extremist fighters against the Shiite-led Houthis, who in turn were alleged to draw material support from Iran. The United States, in addition to aiding the coalition, periodically carried out direct attacks on suspected AQAP targets inside Yemen.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights 2 / 40 (-2)

A. Electoral Process 0 / 12 (-2)

A1. Is the head of government or other chief national authority elected through free and fair elections?

A2. Are the national legislative representatives elected through free and fair elections?

A3. Are the electoral laws and framework fair?

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 last parliament expired in 2009, and elections were put off again in 2011 amid a popular uprising

against longtime president 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 a violent crackdown on the antigovernment protests. 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. The NDC also extended Hadi's term for one year so that the proposed reforms could be finalized in a new constitution.

However, the constitutional drafting process and election schedule were thrown into disarray by the Houthis, an armed rebel movement rooted in the Zaidi Shiite population of northwestern Yemen. Houthi forces took over large swaths of the country, eventually occupying Sanaa in September 2014. The Houthis subsequently refused to evacuate the capital as part of a tentative power-sharing agreement, leading Hadi and his cabinet to resign and then flee into exile in early 2015. Meanwhile, the Houthis disbanded the parliament and assumed control of state institutions. Hadi retained international recognition as president but had no clear mandate and little control over the country.

In July 2016 the Houthis and Saleh-affiliated elements of the former ruling party, the General People's Congress (GPC), reached an agreement that cleared the way for a new government, excluding pro-Hadi forces. In August they appointed a 10-person Supreme Political Council, which in turn announced the formation of the new government in November. The unconstitutional move was seen a blow to UN-led peace efforts, which aimed to negotiate a power-sharing government that included both sides in the civil war.

B. Political Pluralism and Participation 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?

B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?

B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

The Houthis and their allies have harshly suppressed political dissent in areas under their control since 2015. In May 2016, Amnesty International reported on a sample of 60 cases in which Houthi forces had arbitrarily detained journalists, professionals, and politicians between December 2014 and March 2016. Many were affiliated with the opposition party Islah, which had expressed support for the Saudi-led coalition in 2015.

Ordinary political activity is also impeded by the presence of multiple armed groups in other parts of the country, including Sunni extremist groups, southern separatists, foreign troops from the Saudi-led coalition, Hadi government troops, and local or partisan militias.

C. Functioning of Government 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?

C2. Is the government free from pervasive corruption?

C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

Yemen has no functioning central government, and any state institutions that continue to operate are controlled by unelected officials and armed groups. The Hadi government is largely dependent on its foreign patrons, particularly Saudi Arabia. Government transparency and accountability were minimal even before the outbreak of war in 2015, as a network of corruption and patronage established under Saleh remained entrenched in public institutions, and formal anticorruption mechanisms were largely ineffective.

The central bank, which had continued to function despite the war, was bifurcated in September 2016, when Hadi changed its leadership and ordered it to relocate to Aden. A rebel-backed version survived in Sanaa, with the Houthis launching a campaign to solicit public "donations" to support it, but salary payments to public employees and other fundamental tasks broke down across the country. The disruption to legal commerce increased reliance on the black market and created further opportunities for fraud and bribery.

Civil Liberties 12 / 60 (-1)

D. Freedom of Expression and Belief 5 / 16

D1. Are there free and independent media and other forms of cultural expression?

D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?

D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?

D4. Is there open and free private discussion?

Legislation such as the Press and Publications Law long restricted reporting, and the state has historically controlled most terrestrial television and radio, though there were several privately owned radio stations. Since the outbreak of conflict, the belligerents have either taken over or enforced self-censorship at any surviving media outlets in the country. In 2016, Houthi-backed authorities reportedly blocked certain news websites, online messaging and social media platforms, and satellite broadcasts. Internet service was also apparently threatened by damage to infrastructure and reduced access to electricity.

Journalists were subject to arbitrary detention, abduction, and murder during the year. At least six journalists were killed in connection with their work, according to the Committee to Protect Journalists, and more than a dozen were being detained by the Houthis or AQAP at year's end.

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; their rights have traditionally been 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. Some terrorist attacks since 2015 have targeted Shiite mosques, and militants killed 16 people in an attack on a Christian-run nursing home in March 2016. Houthi authorities arrested dozens of members of the Baha'i community in August, though most were later released.

Strong politicization of campus life, including tensions between supporters of the GPC and the Islah party, historically infringed on academic freedom at universities. Since 2015, Houthi forces have detained scholars as part of their crackdown on dissent. The war has also led to damage to

school facilities across the country, suspensions of classes and other activities at schools and universities, and deaths of children caught in either errant or deliberate military attacks on schools. Millions of students no longer attend school as a result of the war.

Freedom of private discussion is severely limited as a result of intimidation by armed groups and unchecked surveillance by the Houthi authorities.

E. Associational and Organizational Rights 3 / 12

E1. Is there freedom of assembly, demonstration, and open public discussion?

E2. Is there freedom for nongovernmental organizations?

E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

Yemenis have historically enjoyed some freedom of assembly, with periodic restrictions and sometimes deadly interventions by the government. There were frequent demonstrations against both the Houthi authorities and the pro-Hadi coalition's air strikes in 2016. Houthi forces have reportedly used violence and live ammunition to suppress critical protests in areas under their control.

Freedom of association is constitutionally guaranteed. A large number of nongovernmental organizations (NGOs) work in the country, though their ability to function is restricted in practice. Houthi forces continued to raid the offices of NGOs, including human rights organizations and international aid groups, during 2016.

The law acknowledges the right of workers to form and join trade unions, but in practice these organizations have had little freedom to operate. Virtually all unions belong to a single labor federation, and the government is empowered to veto collective bargaining agreements. Normal union activity has been disrupted by the civil war and the related breakdown of the economy.

F. Rule of Law 2 / 16

F1. Is there an independent judiciary?

F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?

F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

The judiciary, though nominally independent, is susceptible to interference from various 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. The war has periodically halted the operations of some municipal and judicial offices, although the Ministry of Justice in Sanaa continued to operate under Houthi influence in 2016.

Arbitrary detention is common, with hundreds of cases documented in the past two years. Many amount to enforced disappearances, with no available information about the victims' status or location. Detainees are often held at unofficial detention sites. As with other state institutions, security and intelligence agencies like the Political Security Organization (PSO) have been split into parallel Houthi- and Hadi-controlled structures, which each operating in territory controlled

by its side in the civil war. Houthi-backed authorities controlled most of Yemen's prison facilities during 2016, and instances of torture and other abuse were reported.

The civil war has resulted in widespread violence across the country. Coalition air strikes have failed to distinguish between military and civilian targets, and artillery fire from Houthi forces has been similarly indiscriminate. A number of other armed factions, including foreign military units and extremist groups like AQAP, operate in the country with impunity for any abuses. The United States carried out roughly 30 drone strikes on suspected AQAP targets over the course of 2016, including an attack in March that reportedly killed dozens of fighters. The United Nations estimated in August that at least 10,000 people had been killed since the start of the war.

Despite the growing sectarian rift between the Sunni Muslim majority and the large Zaidi Shiite minority, Yemen is relatively homogeneous in terms of language and ethnicity. However, a caste-like minority group with East African origins, known as the Akhdam or Muhamasheen, make up as much as 10 percent of the population, according to some estimates. They face severe social discrimination and poverty.

Migrants and refugees fleeing war and poverty in the Horn of Africa continued to arrive in Yemen during 2016, with nearly 106,000 people having made the crossing as of November, an increase over the previous year. Some 268,000 refugees were already in the country as of April 2016, according to UN data. Many of those entering were seeking work in the Gulf states but faced harsh conditions, violence, and barriers to further travel once in Yemen.

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.

G. Personal Autonomy and Individual Rights 2 / 16 (-1)

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

Freedom of movement, property rights, and business activity have been badly disrupted by the civil war and unchecked corruption. Estimates of internally displaced people at the end of 2016 ranged from 2 to 3 million, and movement within the country was impaired by combat, damage to infrastructure, and checkpoints at which a variety of armed groups engaged in harassment and extortion.

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. 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 in some areas. Extremist groups have attempted to impose crude versions of Sharia

in territory under their control. In January 2016, AQAP forces reportedly stoned a married woman to death for alleged adultery in southern Yemen.

The war has increased the risk of human trafficking, and after 2015 the government was no longer able to pursue antitrafficking efforts it had previously begun. Migrants, refugees, and the internally displaced are especially vulnerable to exploitation.

The conflict has also resulted in severe economic hardship for the civilian population in general. Border controls and naval blockades imposed by the Saudi-led coalition contributed to shortages of food, medicine, fuel, and other essential imports in 2016, leaving the public more exposed to famine and disease as well as coercion and deprivation by armed groups and black-market traders. About 14 million people were considered food insecure during the year, and half of them were severely food insecure.

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