

FREEDOM OF THE PRESS

Yemen

Yemen | [Freedom of the Press 2012](#) |

Confronted with popular protests and violent opposition, the embattled Yemeni government orchestrated a massive clampdown on media freedoms throughout 2011, seizing thousands of copies of newspapers at checkpoints, blocking websites, beating and arresting journalists, and creating a hostile environment meant to stifle freedom of expression. The measures came on the heels of two years of increasing legal and administrative restrictions on the press. In November, President Ali Abdullah Saleh agreed to step down, handing power to his vice president, but laws circumscribing press freedoms and specialized courts used to prosecute journalists remained in place.

The constitution allows for freedom of expression “within the limits of the law,” but the laws are restrictive and it was unclear at the end of 2011 whether Saleh’s departure would lead to any meaningful change. Several alarming amendments to the Press and Publications Law as well as a repressive bill designed to regulate media, including online publications, remained pending in the parliament. Vague existing laws prohibit journalists from criticizing the president, defaming individuals, or distorting the image of Yemeni, Arab, or Islamic culture, and prescribe steep fines and imprisonment for violators. 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, uses an exceptional tribunal to prosecute political opponents and journalists, while the Specialized Press and Publications Court, established in 2009, tries all cases related to media. Judges at the Press and Publications Court may choose from a variety of laws, including those derived from the penal code, to punish journalists, and the prosecutor can refer cases to the court at his discretion. In December 2011, a trial against *Al-Ayyam* editor Hisham Bashraheel and several other journalists continued in the specialized tribunal. The proceedings, derided as a “farce” by media watchdog organizations, stem from a 2009 government raid on the newspaper, which authorities subsequently shut down. The charges against Bashraheel include “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.

Yemeni news outlets and journalists must obtain licenses from the Ministry of Information and Culture to practice journalism, and printing houses must maintain a registry of printed materials and submit copies to the ministry. In 2010, the cabinet pushed for legislation that would establish prohibitive financial requirements in order to open broadcast and online news outlets, and expand the definition of defamation to include any form of criticism of the president. Yemen has yet to pass any type of freedom of information legislation.

Journalists faced ongoing intimidation, threats, arrests, office raids and closures, and the seizure of printed publications in 2011. Those arrested were often kept in military prisons. Journalists working with foreign media outlets were particularly targeted and accused of damaging Yemen’s reputation abroad. The Yemeni Journalists’ Syndicate (YJS) reported that more than 300 assaults on journalists had occurred during the year—the highest rate in the

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Not Free

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history of the country. Two journalists and one media worker were killed, including a photojournalist who was killed by police when they opened fire on protesters in March, and a cameraman who was shot in the face by a sniper while covering antigovernment protests in September. In February, progovernment forces attacked the offices of the Dubai-based satellite television station Al-Arabiya, Britain's *Guardian* newspaper, and other news outlets. In March, security forces stormed the YJS office and shut down a bureau of Qatar's Al-Jazeera satellite television station. In July, tribesmen who were angry about a land dispute kidnapped journalist Bashir al-Hazmi. The headquarters of the television station Al-Saeedi were set on fire in October during clashes between pro- and antigovernment forces. Authorities seized thousands of copies of the daily *Akhbar al-Yom*, *Al-Thawra*, and several other newspapers during the year.

The government controls most news outlets, including the country's four terrestrial television stations and 12 radio stations, which are operated by the Yemen General Corporation for Radio and Television. Only a handful of newspapers provide independent views. The state also controls distribution outlets and advertising, undermining the ability of the press to operate in a free environment. Self-censorship is commonplace, and journalists know not to cover "red-line" topics including 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.

In 2011, approximately 15 percent of the population had access to the internet, and that number is believed to have increased significantly as Yemenis sought to follow the political unrest that swept their country during the year. Individuals are free to create websites, and a growing number of blogs provide diverse and independent views. The government has drafted, but not implemented, measures to control both mobile and internet technology, including by requiring outlets to pay a licensing fee. News websites often operate with a limited budget, and poor infrastructure makes access sporadic. The government owns the country's two internet service providers. During 2011, authorities reportedly blocked access to opposition news sites for extended periods of time. Among these sites were Yemenat.net, alEshteraki.net, *Mareb Press*, YemenPortal.net, and the online version of the independent newspaper *Al-Masdar*. In January, Fuad Rashid, editor of the opposition news website *Mukalla Press*, was arrested and held for 11 days before being released. In February, the government banned Skype, the popular online telecommunications tool, after it discovered that journalists were using the service to conduct interviews.

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