

The background of the entire page is a dark, textured image of a heavy metal chain. The chain is broken in the middle, with the two ends of the chain hanging down and slightly curved. The top edge of the image has a white, splattered, ink-like effect.

# **BREAKING THE CHAINS**

**OBSTACLES AND VIOLATIONS**

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## LET'S LIFT RESTRICTIONS

► **By Fatima Mutahar\***

A number of restrictions have come into sight in the most recent years, after great openness Yemeni press has witnessed, subsequent to Yemen's reunification in May 22nd, 1990, resulted in issuing tens of papers, periodicals and magazines, from which the best lasts. These restrictions have reduced that openness and damaged largely the independent and factional press.

Yemeni press encounters various restrictions. First of all, legislations that include straight constraint terms or do not declare any rights of press assuring safe working surroundings appropriate for exercising journalism freely and professionally.

Official «or governmental» press is not apart from such restrictions. It is constrained to a trend of being considered as the ruling not ruled press. It is one-voice, sole opinion and solo direction press that deprives it of credibility and integrity and frustrates its professional journalists as well.

Threats made against journalists from different official, factional and private bodies were a serious phenomenon against the professional press and the journalists' lives as well. It aims to decline the voices that menace the corruption and influence powers that afraid of unveiling their covered awful acts.

In the recent years, Ministry of Information has acted as repressive hand on press freedoms via filing legal actions against several papers and journalists. The ministry held and confiscated a number of papers,

the independent ones in particular, disregarding the fact that Yemen has taken democracy and multiparty system as an irreplaceable choice and the different and diverse opinions are safeguarded by the amulet of May 22nd.

In a developing country like Yemen, Journalists still encounter economic restrictions that make them forced to seek the minimum necessary to support live and not pursue the truth, thus they become satisfied with a little of information coupled with livelihood. They are also stifled by tradition that does not like forthright speech about many social affairs. That makes the honest journalists deal with their tasks circuitously and our social issues are kept untouchable.

As the foremost responsible for the profession's situation and its affiliates, Yemeni Journalist Syndicate (YJS) is disturbed by all those issues, we mentioned only some herein, and will spare no efforts to lift such restrictions that hinder the press from doing its duties perfectly. To achieve this goal, we are supported by Yemen's democratic method and certainty of many to the necessity to change as well as a world system has nothing but free professional media competes with many others in very crowded spaces.

In the following pages, we will present a brief report and examples of constrictions. However, we are full of hope that they will be lessened in a consequent report.

**\* Head of the activity committee**

## LEGISLATIVE RESTRICTIONS

**A** legislation on the press in Yemen restrictions in some materials directly and indirectly in others which is subject to the interpretation of the judiciary.

While the article says (42) of the Constitution of the Republic of Yemen that «every citizen the right to participate in the political, economic, social and cultural rights and the state guarantees freedom of thought and expression of opinion in speech, writing, photography» but sealed by a paragraph «(within the law)», and thus find themselves in the press and media in the face of many of the restrictive legislation of their work seemed Press and Publications Law No. 25 of 1990 and Ailte financial and operational .. Passing laws: (Criminal Procedure, documents, proceedings, works of art, down to the Penal Code No. 12 of 1994, making freedom of speech and press in the face of many of the legislation, which is now actually takes stifling restrictions of the press and a lot of barriers and constraints, for example, it criminalizes criticism of the head of state, or the publication of reports might be described as offensive to an Arab country / friend or relationship with Yemen, as the need to establish the conditions unjust annual renewal of the license by the government with ownership of the newspaper to highlight the amount of U.S. \$ 4.375 .. Perhaps the most serious such legislation (Act offenses and penalties), which represents a real disaster for freedom of opinion and expression, and includes penalties of up to death, flogging and imprisonment for up to 10 years in publishing cases, the worst of the laws and illegal acts committed by some security against journalists packing the wrong result for them from the press and its role, which is dedicated role negative press and purpose, confusion and bad news and abusive to Yemen.

### Constraints emerging

Recently the Government has developed special legislation information, and is working to mobilize parliamentary

#### ALAYYAM PRIVATE AND INDEPENDENT NEWSPAPER

The Newspaper, its correspondents and distributors were subjected to a series of violations... its head office has been blockaded by military forces. Currently, it is banned to be printed since May 2009. Its editor-in-chief is a security wanted.

unfair  
manner

support to pass the legislation and the government has already officially approved in January, also takes another piece of legislation related to national unity and to consider the prejudice in the media is accountability will be subject to trial and punishment and way that the writer commented in a they judge and interpretation of the literature, even implicitly.

The law of the censorship is another obstacle to the freedom of publication and expression ..

The restrictions do not expressly set forth in the texts they include inaccurate subject to interpretations and judgments of the judiciary and are based on cultural and social backgrounds were sometimes subject to political pressure to be interpreted in accordance with the Government's vision is often the other party in the case.

For the media, television and radio still is not in accordance with the law monopolized by the government did not issue any license to set up a radio or a satellite channel is owned by the government in Yemen until after a president that in his speech at the Fourth Conference of the union in March of this year.

And still the Ministry of Communications and Information Technology the sole provider of Internet service in Yemen, and thus together with the Ministry of Information exercised strong pressure on the press releases and Web sites are monitored and blocked in many cases against the background of deployment issues and there was no legal provision that prevents it from such action or prosecute them.

Papers Have Been Held Or Banned From Printing



## VIOLATION OF PRESS RIGHTS AND FREEDOMS IN YEMEN 2008-2009

**B**etween the physical abuse .. And arrests .. And examination .. Trials conviction .. And intimidation .. And the threat of death .. And the withholding of news sites .. And the confiscation of newspapers and prevent the distribution and Jmlat incitement and defamation in symptoms and discredit .. And the abduction and torture .. Variety of violations and objectives against the rights of journalists and the Yemeni Journalists and freedoms of professional ..

Perhaps the year's harvest in 2008 and the first two thirds of the year in 2009 reduced the scene press and media in Yemen.

Here Ttalon monitoring notarial models for the most prominent cases Alanthakip which claimed the lives of colleagues, the profession is no longer a profession, but only trouble is now with the increase in violations and the diversity and multiplicity of means and mechanisms and sources .. A profession of risk and walk on the field of mine ..

### Examples of Violations in 2008

Case	Name/mean	Facts
Blocking News Websites	The search engine (Yemenportal) and Sites: (Yemen Hurr, Shabwapress, Yemeni Council, Akhbaralsaah, Abnaal-ganoob, Muharrer.net, Hadramoutpress, Alshora.net, Aden Press, Akhbaralarasr, Omma.net, altagheer.net, Shamsannews.net, Mareb Press).	Ministries of Information and Telecommunications have blocked all of these websites on grounds of publishing news or issues criticizing the government policies, or covering the happenings of remonstrative movement in the southern areas or war developments in Sa'ada governorate between rebels and the government troops.
Confiscating and Revoking Licenses	Abwab Magazine	The Magazine's first issue was confiscated by Sana'a International Airport's security guards on the pretext of publishing a photo abusing the president on its cover page.
	Alwasat Paper	Information Minister has ordered to revoke the Paper's license.
	Addiyar Paper	Security guards of Yeslih checkpoint (an access to the capital) have seized a number of its return issues from lbb and Taiz governorates due to publishing articles criticizing the government's performance.
	Newsweek (Arabic edition)	Ministry of Information has obliged Alayyam Press Corporation (the Arabic Newsweek Magazine's distributor) to cancel an article of Yemeni journalist Raddad al-Salami.
Detention and Imprisonment	Correspondents	Ministry of Information has seized the correspondents' recorders and tapes, while they are covering a meeting of the Permanent Committee of the ruling party (General People Congress).
	- Ahmed al-Shalafi (Aljazeera Satellite Channel's correspondent) - Mohammed Alsayd (the channel's cameraman) - Ali Hussein (Montage)	Held by the security authorities in a hotel in Aden governorate to be prevented from covering the Festival of Tolerance and Reconciliation.

Case	Name/mean	Facts
	Hasan al-Wadhaf (Alhurra Satellite Channel's Cameraman)	Detained by the Security authorities, while covering a blast attack occurred nearby the US embassy in Sana'a and confiscated his camera's film.
	Ayman Mohammed Nasir (Editor-in-chief of Attariq Paper)	Investigated with in al Sheikh Othman prosecution for covering the Festival of Tolerance and Reconciliation in Aden.
	Nasr Bagharib (Secretary of Alsyasiah Paper) and editor in 14October Paper	Arrested by the Political Security Agency in Aden without any charges being formally made against him.
	Mohammed al-Maqaalih (Editor-in-chief of Aleshteraki.net website)	Sentenced to two months in prison for breaching the court's rule of procedures (He has laughed during prosecuting Journalist Abdul-Karim al-Khaiwani, what was considered as a punishment for his opinions and writings).
	Abdul-Karim al-Khaiwani	Penal Court Specialized in State Security Causes has delivered a six-year sentence against him on charges of conspiring against the regime and involving in a terrorist cell. He has been detained as soon as the sentence passed, although it does not come into force. The prosecution has occurred after a series of al-Khaiwani's articles assault on corruption and ruling bequest published in Al Shora Paper before being confiscated.
	Qa'ed Nasr (Althawry Paper's correspondent in Rdafan)	A sentence of two months in prison and a fine of YR 20,000 have been passed against him on grounds of his coverage to sit-ins staged in Lahj governorate and writing articles criticizing the government as well.
	Sabri Bin Makhashin (Editor-in-chief of Muharrer Paper)	Arrested and beaten by security forces in Mukalla city on grounds of an intensive coverage in the paper to exams leak of the basic education last grade.
Assaults and Physical Violence	<ul style="list-style-type: none"> <li>- Mustafa Bedir (Head of the Syndicate Committee in Hodaida)</li> <li>- Mansour Abu Ali (Correspondent of Alayyam Paper in Hodaida)</li> </ul>	Security Authority in Hodaida governorate has assaulted, beaten them and seized their cameras due to covering doctors' sit-in in the governorate headquarters.
	<ul style="list-style-type: none"> <li>- Abdu Aish (Aljazeera.net Correspondent)</li> <li>- Abdul-Fattah Haidarah (Correspondent of Alayyam Paper in Sana'a)</li> <li>- Said Thabit Said (Deputy of Yemeni Journalist Syndicate – Quds Press Correspondent)</li> </ul>	They have been beaten, while covering a sit-in for the Joint Meeting Parties.

Have been threatened in 2009



**Murad Hashim**  
Director of Aljazeera channel office.



**Ahmed al-Haj**  
Director of Associated Press office.



**Hamoud Monassar**  
Director of Alarabiya channel office.

## Examples of Violations in 2009

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Case	Name/mean	Facts
Penetrating into and Blocking Websites	Sites: Yemenportal, Alayyam, Yemenat, Omma.net, Mareb Press Muharrer.net, Al Shora.net, Almasdaronline, Aleshteraki.net, Altagheer.net, Alhadath.net, Marebnews, Alminprnews, Muntada Alhiwar, Mukalanews, Albadeel, Nasspress and Aden Press.	Blocked by the Ministries of Information and Telecommunications on grounds of publishing press items.
	Sites of Alghad, Alwasat, Omma.net and Alwahdwi.net.	Penetrated and devastated.
Confiscating, Discontinuing and Banning printing	Papers of (Alayyam, Alahali, Addiyar, Almasdar, Almustakila, Alnedaa, Alqadhiah and Alwatany)	The papers have been discontinued and banned from printing and distribution by a decision from the Minister of Information. They have been frequently confiscated from printing establishments, newsstands and bookshops on grounds of publishing issues.
Detention and Imprisonment	Fou'ad Rashid, Salah al-Saqladi, Anis Mansour, Hussein al-Lswas and Eyad Ghanem	Journalists Fou'ad Rashid and Salah al-Saqladi have been detained to date for months on grounds of opinion causes. Journalist Anis Mansour is wandering in mountains escaping from a fourteen-month sentence passed against him for opinion causes. Journalist Hussein al-Lswas has been held and beaten severely by the security guards escorted Baidha'a governor due to press issues relating to the governorate. Journalist Eyad Ghanem is still imprisoned in Sabir jail of Lahj governorate since 1\7\2009. In a single session, Al-Qabbaiyta Court has passed an eighteen-month sentence in prison against him. Ghanem is very sick, however he was not admitted to the hospital due to the jail's director refusal.
Assaults and Violence	Abdul-Hafidh al-Hutami, Fadhil Mubarak, Majid al-Jirafy, Abdul-Malik al-Shura'ei, Ahmed Aqeel, Abdu Aish, Abdul-Sattar Bajash, Radfan Omar, Abdul-Salam al-Faqih, Mohammed al-Haj Salem, Ali al-Asadi, Mukhtar al-Rahabi and Mohammed al-Shar'abi	They have been subjected to different assaults and physical violence due to press issues they have dealt with.
Interrogations and Trials	<ul style="list-style-type: none"> <li>- Sami Ghaleb and Abdul-Aziz al-Majidi (Alnedaa Paper)</li> <li>- Samir Jubran (Almasdar)</li> <li>- Munir al-Mawri (a journalist resides in Washington, USA)</li> <li>- Jamal Amir (Alwasat)</li> <li>- Abdullah Saberi (Sawt Al Shora)</li> <li>- Ali al-Saqaf, Ashraf al-Rifi and Adel Abdul-Mughni (Alwahdwi)</li> <li>- Naif Hassan and Nabil Subaiy'a (Alshari'a)</li> <li>- Ayman Mohammed Nasir (Attariq)</li> <li>- Walid al-Ssada (Aliwaa)</li> <li>- Adel Bishr (Aljomhor)</li> </ul>	They are interrogated and appeared in courts on grounds of publishing causes either for being in charge of the papers published the articles or because of being writers for the papers.

## Fear of Security

When a large event occurs in our country requires a field coverage, the first thing the journalist thinks about before he prepares his tools for the media coverage, is sticks of the security men and their chase to stop him, whatever the nature of the event.



**Khalid al- Hammadi**  
Reporter of Al- Quds Al- Arabi Newspaper

## Prison..Not Pretty Days After It

At the Prison Custody in the Court of South West Secretariat of Sana`a, I tried to overcome the dirt and mildew using the saying of the Turkish writer Nazim Hekmat: "The pretty days didn't come yet". I do not want to describe the scene with its details, but I would like to emphasize that if Nazim Hekmat was forced to stay in the prison custody which I am forced to remain in, due to my newspaper published a story on an aggrieved women citizen, he was collapsed immediately and didn't say his word which the revolutionists and liberals of the world derive their strength to withstand till today.



**Ali Assakaf**  
Editor in Chief of al- Wehdawi Newspaper

## Hitting By the Governor's Orders

On 23rd of January, 2009, two of the security members took me to the house of al- Baydha`a governor and put me in the guard's room, then they took me to the yard and seven persons surrounded me and took my wallet, ID and mobile. One of them took the ID to the governor's house then came back telling his colleagues on the governor's orders to assault me. The seven persons began to beat me, causing flow of the blood from my head and nose. Then a police car came to take me to the management of the security governorate and they put me in the prison there. I requested a cure for my hurts but they refused.



**Hussien al- Leswas**  
Editor in Chief of  
"al- Bydha`a Press" News Website

## Reputation is their weapon to fight female journalists

The defamation and cursing was published about me and about my colleagues in some newspapers is a attempt to silence us, because the reputation is the most valuable asset of women in Yemen. By their behavior they think that we're would be broken. But their calculations is wrong because the strike, which does not kill you, it would make you strong. In the fact what happened to me made me stronger and cursing me by those yellow newspapers means that I am in the right way.



**Samya al- Aghbari**  
a Journalist in al- Wehdawi Newspaper

## Union Guarantees

Defending on the rights and freedoms of the journalists considers an essential task for the Yemen Journalists Syndicate (YJS). According to the syndicate's simple abilities, it takes many mechanisms to achieve the defending such as publish the press declarations and as possible it organizes an events to discuss the journalism's issues and other activities demanding to improve the journalists income (job description). It also presents in cooperation with some volunteers lowers the legal support for journalists accused in some cases.



In the legislative side, the syndicate in cooperation with some of local and foreign organizations do to come out with comprehensive legislations to ensure broad spaces for free journalism. The syndicate in cooperation with IREX Organization are working in the final stage of the journalism law which includes legal insurances will keep pace with the spirit of democracy.

**There are a lot of basic insurances guaranteed in the by-law of the syndicate such as those mentioned in the chapter II (Principles and Objectives) which provides in article II that YJS works according to the following:**

- Protect the integrity of journalists and their union and enhance the syndicate's role in defending on the physical and moral rights of the journalists towered all the concerned authorities. And gave the journalists full support and care in order to raise the level of the journalism profession and promotes the values of freedom, democracy and justice in public life.
- Work on create guarantees for the social stability for the syndicate members.

- Protect journalists from any arbitrary actions and prevent any persecution against them because of the opinion.

- Develop the journalism profession in form and substance to enable it to fulfill its message and establish the foundations of press freedoms and bases of the democratic life.

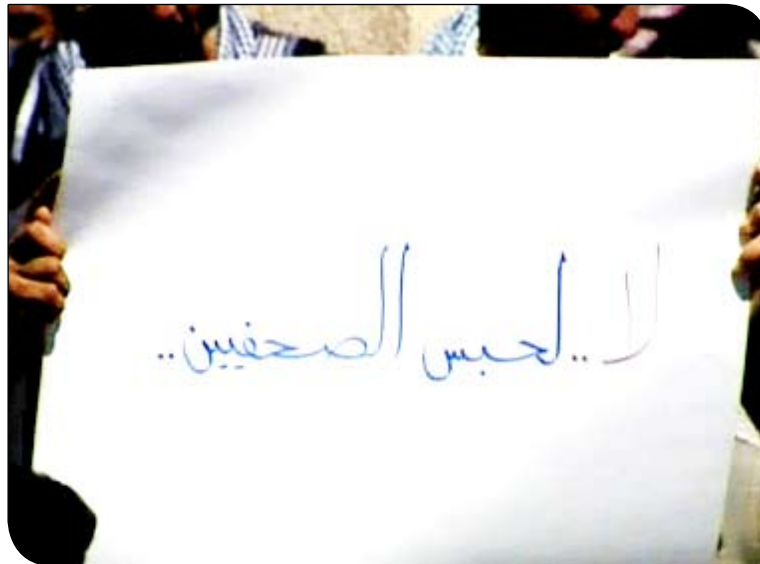
- Hard and responsible work for the enactment of national legislations to enhance

the syndicate's role to help the profession to keep pace with contemporary changes.

**As well as stated in Chapter VII, the article No (23) stated that the journalist enjoys fundamental rights, the syndicate have to provide such as:**

- Get the correct information from various sources and demand the official bodies to facilitate his/her task.
- The syndicate bears all the expenses of hearing sessions and defending on the members journalists towered the general prosecution and justice.
- Adhere to the principle of do not call the journalist to the prosecution only in the presence of the head of the syndicate, or on behalf member of the syndicate council.
- Adhere to the principle of do not arresting the journalist because of opinion freedom.
- Ensure the journalist when he/she comes into a wrongful termination until restore his/ her position or offer another suitable job in the same fled.
- Ensure the journalist at the age of retirement and provide him/her with an independent salary accordance with the approved role in the Social Solidarity Fund , and offering the health insurance.

## Demands



- Press law provides and ensures a broad freedom worthy of the democratic path.
- Find legislation emphasizes on the right of access to information for the journalist and for all the society.
- Improving the wages of the journalists to enable them to do their press coverage in an integrated manner.
- Stop arresting journalist due to the opinion.
- Stop the prior censorship on newspapers.
- Create good conditions for the work of the journalists in the case of emergency, wars and disasters.
- Approve the job description of the journalists.
- Oblige all news organizations to provide royal treatment for the journalists and qualify them periodically.
- Provide suitable means of communication to serve the journalist and develop his/her skills.
- Approve the right to establish and broadcast the radios and satellite channels.