



ماعت للسلام والتنمية وحقوق الإنسان  
Maat For Peace, Development, and Human Rights



# **Handcuffed Hands**

## **Journalists' Status in the Regions Under the Houthis Control in Yemen**

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## Preamble

Being a journalist in a country plagued with conflict means you are subjected to grave and various risks that contradict a set of basic human rights set forth in the international human rights treaties and conventions. During the period from January 2022 to March 2023, 93 journalists were killed, including those who collaborated with the media in UN Member States, including 86 journalists in 2022 and about 7

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**Ayman Okeil**

journalists in the first quarter of 2023. It is not surprising that Yemen is at the top of countries where journalists are shot with live bullets while carrying out their work, amidst widespread impunity and lack of accountability. 7 journalists were killed within 18 months in different parts of Yemen, all of them are local journalists. Reports indicate that the Houthi militia was responsible for the assassinations of these journalists. To understand the magnitude of the

tragedy, this number of journalists who were killed in Yemen in a year and a half, is greater than the number of journalists who died while covering the four-year-long World War I, when only two journalists were killed at that time.

The Houthi militia has adopted an approach that depends on confiscating all the opinions of journalists in areas under their control, and it is still carrying out a campaign based on outdated slogans, which is the slogan “to be with or against us.” These slogans contradict the right to freedom of opinion and expression and the right to freedom of the press. These rights are guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, and they are rights also stipulated in the four Geneva Conventions and their additional protocols.

Journalists in Yemen face violations on almost daily basis, and northern Yemen, where the Houthis de facto rule, remained the most affected area by these violations. The Journalists Syndicate in Yemen has 1,500 registered journalists in the Syndicate, including 170 women journalists. Journalism is practiced by a group of bloggers as well. The violations faced by journalists included arbitrary detention,

enforced disappearance, and intimidation of other journalists, which makes them exercise self-censorship over their peaceful activities.

Yemen ranks 169<sup>th</sup> out of 180 countries ranked by the Press Freedom Index issued by Reporters without Borders, and these practices made journalists either refrain from journalistic work or leave the areas in which they work in areas under the control of the Houthis. This report, which is issued by Maat for Peace, Development and Human Rights on the sidelines of World Press Freedom Day, celebrated on May 3 of each year, to focus on the recent violations against journalists in Yemen, and the forms of these violations such as arbitrary detention, enforced disappearance, extrajudicial killings, which prompted these journalists to practice self-censorship. The first axis of this report will focus on the legal framework for the protection of journalists in countries of armed conflict.

## **First: Legal Framework for the Protection of Journalists in Countries of Armed Conflict**

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The violations and arbitrary practices that journalists are subjected to in Yemen contradict a set of principles and provisions contained in international human rights law, as this law applies at all times, in war and peace alike, as well as the provisions of International Humanitarian Law applied in armed conflicts. The violations against journalists in northern Yemen and in the Houthi-controlled areas contradict Article 3 of the UNDHR and Article 6 of the International Covenant on Civil and Political Rights, which guarantees the right to life for everyone, including journalists.

Arbitrary practices that lead to the arrest of journalists also contradict Article 19 of the UNDHR and the same article in the International Covenant on Civil and Political Rights, which grants everyone the right to freedom of opinion and expression and the right to obtain, receive and disseminate ideas through any means without being restricted by geographical borders. The safety of journalists and combating impunity in arbitrary practices against them also intersect with ensuring the principles and provisions of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity. Targeting journalists in conflict zones also contravenes the rules of international humanitarian law, especially Common Article 3 of the Geneva Conventions, which considers journalists among the protected categories and prohibits targeting them.

International humanitarian law also obligates all parties involved in an armed conflict to respect and protect civilian journalists performing their duties in armed conflicts, from every form of deliberate attack. Journalists are guaranteed the same protection guaranteed to civilians as long as they do not directly participate in hostilities, as Article 79 of Additional Protocol I to the Geneva Conventions of 1949 stipulates in this regard that “journalists who undertake dangerous professional missions in areas of armed conflict are considered civilians within the operative part of the first paragraph of Article 50, they shall be protected as such by the provisions of the Conventions and this Annex "Protocol", provided that they do not take any action that would prejudice their status as civilians.

Violations against journalists also violate Security Council Resolution No. 1738 of 2006, which urges all parties involved in armed conflicts to stop deliberate attacks against journalists and to provide them with protection. It is the same protection that was included in Security Council Resolution No. 2222 of 2015, as this resolution stipulated the need to provide the necessary protection for journalists working in armed conflicts in a way that enables them to perform their work in a safe and favorable environment. and the need for parties to any armed conflict to comply with the obligations applicable to them under international law to protect civilians in armed conflict, including journalists, and to take appropriate steps to ensure accountability for crimes committed against them<sup>1</sup>.

## **Second: Violations of Journalists in Yemen during Q1 of 2023**

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The beginnings of 2023 were promising for journalists in Yemen, especially in light of the indications of reaching a cease-fire truce in Yemen, after the four journalists who had been detained for eight years in Houthi prisons were pardoned as part of a prisoner exchange deal that included 880 prisoners by the Houthis and the Yemeni government. However, 2023 was not free from violations against journalists in the Houthi-ruled areas.

On January 11, 2023, the Criminal Court in Sana'a began the trial of four bloggers on the YouTube platform, Mustafa Al-Mamri, Ahmed Hajar, Ahmed Allaw

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<sup>1</sup> Perilous, The Situation of Journalists in Yemen in 2021, <https://bit.ly/40XbqHd>

and Hammoud Al-Misbahi<sup>2</sup>, after they criticized corruption practices in the governorates under the control of the Houthi militia. The indictment against these bloggers included charges such as "publishing false news that would disturb public security," and charges such as harming the public interest by creating and managing channels on YouTube, which leads to serving what the indictment called "continuous aggression in war and siege on Yemen", the penalty for these bloggers may reach the death penalty according to the Crimes and Penal Code in force in the areas under the control of the Houthi militia<sup>3</sup>.

The practices faced by these bloggers, some of whom worked for some journalistic websites in Yemen, contradict Article 19 of the International Covenant on Civil and Political Rights, which guarantees the right to freedom of expression, and contradicts SDG 16.10, which guarantees public access to information in accordance with national agreements and legislation<sup>4</sup>. Maat also noticed the mobilization of the Houthi militia, in conjunction with the arrest of these four bloggers of its supporters on social media, to exaggerate the profits that these bloggers earn from YouTube, in addition to the social media website Facebook.

In a related context, the Houthi militia, in the Q1 of 2023, refused to allow broadcasting the Voice of Yemen radio station, despite the issuance of a judicial ruling allowing the radio to resume its work. On July 11, 2022, the Houthi militia stormed the Voice of Yemen radio station in the capital, Sana'a, and seized the radio's broadcast equipment and closed the radio's headquarters, however, the radio had previously obtained a judicial ruling to return the broadcast<sup>5</sup>. It is worth noting that on January 25, 2022, the Houthi militia had stormed six radio stations in Sana'a and forced them to close, claiming the need to issue new licenses. After that, five stations resumed broadcasting, but with the self-censorship for fear of harassment and intimidation by the Houthis<sup>6</sup>.

Maat has also seen independent reports stating that the Houthis have blocked all government press websites affiliated with the legitimate government, news

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<sup>2</sup> Civil society organizations denounce the Houthi militia's abduction of four social media bloggers in Sana'a, <https://almasdaronline.com/articles/266467>

<sup>3</sup> Republican Decree by Law No. (12) of 1994 AD regarding crimes and penalties, <https://bit.ly/3SWb8hy>

<sup>4</sup> Sustainable Development Goals, Danish Institute for Human Rights, <https://sdg.humanrights.dk/ar/goals-and-targets?page=4>

<sup>5</sup> The Voice of Yemen radio station in Sana'a was raided and its contents looted, <https://bit.ly/3YuPVw7>

<sup>6</sup> Exercising self-censorship means not speaking up on public affairs or on issues that are critical to the authorities

websites, channels, and all local media outlets opposing the Houthi militia, and that the militia used the Ministry of Communications and Yemen Net as "Internet providers" to control the flow of information to and from areas under control, to withhold specific information from citizens and direct public opinion in areas under militia control<sup>7</sup>.

In light of the foregoing, since the Houthi militia took control of the capital, Sana'a, on September 21, 2014, and the subsequent control of other governorates in northern Yemen, about 80 journalists, magazines, and radio stations, have been suspended since the beginning of the conflict, in addition to blocking 200 local and foreign news websites. According to Yemen Net, the person responsible for blocking websites is the Security and Intelligence Service of the Houthi militia<sup>8</sup>.

### **Third: Arbitrary Detention and Enforced Disappearance of Journalists in Northern Yemen**

From January 2022 to May 1, 2023, the Houthis detained about 25 journalists and bloggers in Houthi-controlled areas, and despite the release decisions taken by the Houthi militia included a number of journalists, nevertheless, the Houthi militia continues to detain seven journalists and four bloggers, and the journalists are: Journalist Waheed Al-Sufi, "and he is forcibly disappeared, according to the information that reached Maat, along with the journalist Muhammad Al-Salahi, Muhammad Ali Al-Junaid. The arbitrary detention of journalists contravenes Article 9 of the Universal Declaration of Human Rights, which prohibits the arbitrary arrest, detention or exile of any person.

In a related context, the Houthi militia continued its arbitrary practices against the journalists who were released, as these journalists were forced to sign papers containing their cessation of writing against the Houthi militia, which forced these journalists to leave Sana'a. In the testimonies that Maat showed to some journalists, they stated that the acts of intimidation that faced the journalists prompted them to leave the areas under the control of the Houthis.

The Houthi militia arbitrarily arrested some journalists for prolonged periods and released them only after paying heavy fines or mediators intervened. Among the examples of these journalists is

<sup>7</sup> Houthi control over the telecommunications sector in Yemen, p. 50, at the following link: <https://bit.ly/3SUvc3L>

<sup>8</sup> A report highlighting the policy of blocking news websites in Yemen, <https://bit.ly/3kEWGOo>

journalist Younes Abdel Salam, who spent a year and four months in Houthi prisons. Maat reviewed the details of the testimony, as the journalist was kidnapped on August 4, 2021, on the main street near Sana'a International Airport, and was taken to a detention center inside the airport, where he remained for four days, before being transferred to the Security and Intelligence Service. During his detention there, he was subjected to abuse, insults, ill-treatment, and psychological intimidation, to extract confessions from him<sup>9</sup>. They prevented him from communicating with a lawyer or his family or receiving the medical medicines he needed. On June 23, 2018, ten gunmen arrested journalist Sami Noman, a father of one son, who was then nine years old and took him to Al-Saleh prison in Al-Saleh city, east of Taiz governorate. In his testimonies, which Maat reviewed, he said that he was interrogated while blindfolded, and the detention conditions were very bad as he denied access to mediation and food, until a person died in this prison<sup>10</sup>

#### **Fourth: Journalists' Practice of Self-Censorship**

Some journalists are still working from areas under the control of the Houthi militia, but they practice self-censorship over their journalistic activities and behavior on social media. The arbitrary practices and prolonged imprisonment of these journalists prompted them not to talk about the general policies of the Houthi Supreme Political Council or the unrecognized government in Sana'a. Some journalists, whose Maat reviewed their testimonies, said they worked under pseudonyms and fictitious names in the websites and newspapers operating in Sana'a for fear of intimidation by the Houthi militia<sup>11</sup>. In specific incidents, some female journalists were forced to practice self-censorship; for example, gunmen from the Houthi militia prevented Amal Al-Raisi, a journalist working for the German radio station Deutsche Welle, from entering Al-Thawra Hospital in Sana and meeting some of the injured; she said that she

<sup>9</sup> شهادة الصحفي يونس عبد السلام، <https://bit.ly/3J1MAPz>

<sup>10</sup> الصحفي سامي نعمان يروي قصته في سجن الحوثيين، <https://aljanadpost.net/p-4994>

<sup>11</sup> Reporters flee Sanaa amid Houthi 'siege on journalism', <https://www.middleeasteye.net/news/reporters-flee-sanaa-amid-houthi-siege-journalism>



was not in agreement with the militia, and was lucky, they did not catch her.

## **Fifth: Extrajudicial Killing**

The Houthi militia carried out extrajudicial killings against journalists who did not comply with its orders or whom the Houthi militia claimed were journalists doing work for third parties. According to the Journalists Syndicate in Yemen, 50 journalists were killed in Yemen between 2011 and December 2022. According to information received by Maat, the Houthi militia is the party most responsible for killing journalists in Yemen. Among the cases adopted by Maat is the case of journalist Rasha Al-Harazi, a Yemeni journalist assassinated on November 9, 2021, in an extrajudicial killing. Her husband, journalist Mahmoud Al-Atmi, authorized Maat to take up the case of his wife, who died in her death, before international human rights mechanisms.

Various reports claimed that the Houthi group had assassinated journalist Rasha Al-Harazi. Al-Harazi is a Yemeni journalist and photographer who was 27 years old at the time of her assassination. She had a two-year-old son, Jawad, and was about to give birth to her second fetus before she was assassinated. On November 9, 2021, journalist Rasha Al-Harazi, accompanied by her husband, journalist Mahmoud Al-Otami, was driving their car along the Abyan coastline in the Khor Maksar district in Aden Governorate; the car exploded after unknown persons attached an explosive device to the bottom of it. Journalist Rasha Al-Harazi died instantly. Her husband was seriously injured. He went to Aden International German Hospital in Aden Governorate. He suffered from fractures in the upper limbs, wounds in the hands, and a tendon rupture. On December 26, 2021, he underwent plastic surgery on his right hand due to the burns he sustained in the explosion.

Although no party announced that it was behind the assassination, in his first interview after surviving the assassination, Al-Otami accused the Houthi group of being involved in the assassination, as they were searching for information about him, such as his place of residence, the type and number of his car before the incident. Maat obtained Al-Harazi's husband's authorization to adopt the case of him and his wife, the journalist Rasha Al-

Harazi. In the context of advocating for the cause, Maat submitted an urgent complaint to the United Nations special procedures, in particular to the Special Rapporteur on freedom of opinion and expression, extrajudicial execution, and the Special Rapporteur on human rights defenders, regarding the opening of an urgent investigation into the killing of Yemeni journalist Rasha Al-Harazi.

## Sixth: Extrajudicial Execution

Four journalists in northern Yemen have been on death row for nearly three years. On April 11, 2020, the Specialized Criminal Court in Sana'a, issued a death sentence against four Yemeni journalists in a mock trial without the minimum standards for a fair trial. The charges were based on political motives and related to espionage and cooperation in favor of what the judge described as “aggression” and spreading false news. The judge was without the presence or knowledge of the legal team of lawyers and without specifying a date for the implementation of it. On October 30, the Houthi-appointed Public Prosecutor ordered their release as part of a prisoner exchange deal, but they remained in detention<sup>12</sup>. Although these journalists were released as part of a prisoner exchange between the Houthis and the Yemeni government at the end of April 2023, these journalists remained in detention. In the journalists' testimonies Maat reviewed after they were released, Journalist Tawfiq Al-Mansouri revealed to local Yemeni newspapers that he was tortured during detention for eight years, including three years after a death sentence was issued against him and three of his colleagues. Al-Mansouri stated in his testimonies after his release from prison that he was tortured by the head of the Houthi Prisoners' Committee, Abdul Qadir Mortada, and his deputy, Murad Qassem .

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Before their departure, Maat documented the arrest and enforced disappearance of the four journalists by the security forces and militiamen affiliated with the Houthi militia. On June 9, 2015, Maat documented that while the journalists were working in the Qasr al-Ahlam Hotel in the capital, Sana'a, the Houthis cut off the internet. The four journalists remained in detention without charge or referral

<sup>12</sup> اليمن: يجب على السلطات الحوثية إطلاق سراح أربعة صحفيين محكوم عليهم بالإعدام، <https://bit.ly/3SOz1ri>

<sup>13</sup> شهادات تفصح تورط رئيس لجنة الأسرى بجماعة الحوثي ونائبه في جرائم تعذيب، [https://alraseefpress.net/?p=news\\_details&id=15119](https://alraseefpress.net/?p=news_details&id=15119)

to trial, in contravention of Article 14(c) of the International Covenant on Civil and Political Rights, which states that "any person arrested shall be brought to trial without undue delay".

The Houthi militia used these journalists as pressure and bargaining chips, which would have put their lives in danger, especially given the lack of health care for the four journalists. On April 30, 2023, Waddah al-Mansouri, brother of journalist Tawfiq al-Mansouri, reported that al-Mansouri, and journalist Harith Hamid, had been transferred to the hospital, a few days after his release from the prisons of the Houthi militia. Some explained this deterioration in the health of journalists to the violations they were subjected in detention.

On September 6, 2022, the brother of the journalist, Tawfiq Al-Mansouri, authorized Maat to adopt his case before international human rights mechanisms. Tawfiq Al-Mansouri is one of the four journalists who have been sentenced to death. He is a 37-year-old journalist who worked before his arrest at Al-Masdar Media, a local press organization. On July 27, according to his brother's testimony, he received reliable information from the family of another detainee of the Houthi group, in which he confirmed that Al-Mansouri's health condition was severely deteriorating because he was prevented from obtaining the medicines intended for him. Al-Mansoori suffers from diabetes, heart disease, and shortness of breath. His condition requires health care and a doctor to supervise his condition. He was detained with his colleagues at the beginning of his detention in the Political Security prison of the Houthi intelligence and then moved to the Central Security Base prison of the Houthi group. According to the testimonies of Al-Mansouri's family, which Maat reviewed, the director of the Central Security Base threatened the journalist with what he called slow death in detention.

Abd al-Khaliq Omran is a 40-year-old Yemeni journalist. He worked for a local press site in Yemen and ran a site called the Yemen Revolution. Days before his arrest, he conducted interviews with people who opposed the group. Maat reviewed testimonies confirming that he suffers from frequent spinal pain and kidney problems, which require specialized care, which is mentioned in Rule 27 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). Nevertheless, the prison administration did not call a doctor to

supervise his health condition, in gross disregard of the principles and provisions of international law that the Houthis must respect.

The third journalist to be sentenced to death is Akram Al-Walidi, a 39-year-old Yemeni journalist who worked for news websites and his work for the Yemeni news agency Saba. He was forcibly arrested on June 9, 2015, and remained forcibly disappeared for more than six months. He went on hunger strike alongside his three other colleagues, which prompted the Houthis to transfer him to the Political Security prison of the Houthi intelligence service. According to testimonies that Maat showed to Al-Walidi's family, he suffers from colon problems, while the prison administration did not treat him. They refused to take him to the hospital earlier after his health condition deteriorated.

The last journalist is Harith Hameed, a 34-year-old Yemeni journalist who worked for a local website that is now out of work and has also worked for the Sana'a Center for Human Rights. He was arrested on June 9, 2015, and subjected to various types of abuse inside the Houthi detention centers; the prison administration prevented his family from seeing him. In December 2017, his mother died of grief at being prevented from visiting.

The previous facts against the four journalists illustrate the violations against freedom of the press in the control of the Houthis by confiscating all independent opinions and imposing a general atmosphere of intimidation and intimidation against freedom of opinion, expression, and circulation of information. The four journalists were deprived of all their legal rights. They were not allowed to communicate with a lawyer or represent them legally before the court in contravention of Article 14 of the International Covenant on Civil and Political Rights.

This practice also contravened the UN Basic Principles on the Role of Lawyers, and he had only contacted their family a few times and was not allowed to visit them. The four journalists were also denied access to adequate food, safe drinking water, and proper health care and were subjected to horrific forms of cruel and degrading treatment that amounted to torture, inconsistent with the principles and provisions of the Convention Against Torture and Article VII of the International Covenant

on Civil and Political Rights. The rest of the practices included solitary confinement and incommunicado detention.

## **Conclusions & Recommendations**

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Impunity and lack of accountability for crimes against journalists in Yemen are still the hallmarks of the case of journalists in Yemen, which pushes the Houthi militia security forces to more violations. The Houthi militia is still detaining three journalists and four bloggers in areas under the militia's control. Impunity and failure to ensure journalists' rights is one of the biggest challenges that prevent the protection of journalists in northern Yemen.

### **Accordingly, Maat Recommends the Following**

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- The unconditional release of journalists who are still detained in the prisons of the Houthi militia.
- Consider forming a committee to compensate journalists who tortured in Houthi prisons
- The UN envoy in Yemen should pressure the Houthis to compensate the recently released journalists as part of a prisoner exchange.
- Canceling all criminal provisions that allow the prosecution of bloggers and content writers in areas under Houthi control.