



Four Yemeni Journalists are Facing Death Sentences



Yemeni Media Freedom Observatory

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This report is issued by the Media Freedoms Observatory in Yemen, which is a professional and independent monitoring and information platform affiliated with the Studies & Economic Media Center.

Executive Summary

Four Yemeni journalists are on death row over their journalism. Abdul Khaleq Emran, Tawfiq al-Mansouri, Hareth Humaid, and Akram al-Walidi were arbitrarily and illegally arrested on June 9, 2015, forcibly disappeared, inhumanely tortured and prevented from receiving visitors. Despite requiring medical care, the detainees have been denied medical visits throughout their detention. Under international human rights law, all defendants have the right to a fair trial. However, the Houthi group (Ansar Allah) did not abide by national and international laws. The journalists were tried unfairly in courts not specialized in press and publishing cases, and legal representatives were not allowed to attend court sessions or defend the journalists during interrogation.

Through our investigation of the case of these journalists sentenced to death, it became clear to us that this case is part of a rising tide of violence and rights violations against journalists driven in part by institutional impunity. As part of our community-driven work, we have organized an advocacy campaign aimed at improving process and accountability, ultimately calling for the drop of death sentences against the detained journalists and their speedy release. We have provided a clear and comprehensive picture of the case by preparing a documentary video highlighting their suffering during detention, the conduct of their trial, and the suffering of their families. We have also published 4 short video clips of no more than a minute in order to share it easily and widely in various media.

Through these short videos, we seek to launch a campaign targeting international organizations concerned with freedom of opinion and expression and human rights to create international solidarity on the issue of these four journalists, increasing pressure on the Yemeni government to drop the death sentences and ultimately obtain their release.

Simultaneously, we have carried out an intensive media campaign in both Arabic and English through which we have united a large group of organizations concerned with media freedom and human rights to defend media freedom. A total of 33 organizations joined our campaign, and together we called for dropping of the death sentences and release. Our campaign was conducted in conjunction with the International Day to End Impunity for Crimes Against Journalists, which is on November 2 of each year, and it received wide media coverage on more than 100 satellite TV channels, news websites and various social media.

Introduction:

The ongoing conflict in Yemen has resulted in a humanitarian and human rights crisis characterized by widespread violence and organized human rights violations. Perhaps the most destructive result of the protracted conflict has been the generalization of violence and its means as a unilateral option practiced against journalists by all the dominant parties to the conflict in Yemen. All parties to the conflict have demonstrated the intent to restrict freedoms of opinion and expression to varying degrees.

Conflict first broke out in Yemen at the end of 2014 when Houthi forces (ansar Allah) took control of the Yemen's capital city of Sana'a and additional territory. Journalists and media entities have experienced repression, targeting, and violence from all sides of the conflict since the outset. Statistics and human rights reports indicate that the Houthis have topped the list of violators in Yemen since 2015, with 1,827¹ attributed violations against journalists and media entities. Houthi-controlled regions have become completely devoid of any kind of press or journalistic activity since their takeover, though in peacetime Sana'a was home to a wide variety of newspapers, websites and channels.

The Yemeni government has also committed a number of violations against journalists and media outlets in the areas under its control, and media work has become increasingly dangerous due to restrictions on media freedoms. Partisan actors and influential members of the security and military authorities have acted with impunity to impose restrictions on opposition journalists, limiting their freedom of movement and conducting campaigns of intimidation and defamation that aim to silence critical voices against the official civil, security and military authorities.

The city of Aden and the areas that came under the control of the Southern Transitional Council have not been immune to violence against the media. These areas have been subject to repressive practices that restrict media freedom and suppress media diversity, including the arrest and torture of journalists like Ahmed Maher.

During the past seven years, the Media Freedoms Observatory has documented a total of 2,446 violations against media. From 2015-2022, these incidents include 52 killings, 475 arrests, 766 violations described as threats, prosecution and attacks, 153 violations against media institutions, and 1,000 summary dismissals of journalists from their jobs. .

During the last period, the Houthi group (Ansar Allah) topped the list of violations against journalists and media institutions in Yemen with 1827 violations, parties of the Yemeni government with 247 violations, then the Arab coalition air force with 37 violations, and 107 violations were documented against unknown persons, and 27 by Al-Qaeda. , and 198 were by other parties.

The widespread institutional failure of Yemeni authorities on all sides to hold criminals accountable has fostered an environment of impunity and encouraged attacks on journalists without fear of punishment. Criminals have used terrorist tactics previously unseen in Yemen. Political and security actors have directly targeted journalists, planting explosives in their cars and targeting their families for violent campaigns of fear and intimidation, all with the aim of preventing members of the media from continuing their journalistic work. The international community must intensify efforts to establish and support legal

¹ Until December 2023 – Media Freedom Observatory

accountability for the perpetrators of these violations, regardless of when during the conflict they took place and which side acted as the perpetrator.

The Journalists Sentenced to Death:

For seven years, the Houthis have refused to release Abdul Khaleq Emran, Tawfiq al-Mansouri, Hareth Humaid, and Akram al-Walidi, the four journalists unfairly detained in their prisons. These detainees have been routinely psychologically and physically tortured during the period of their enforced disappearance and are now facing execution as a result of their media work. Their story began in June 9, 2015, when the Houthis arrested a group of 9 journalists on charges of "spreading false news and disturbing the public security of the state." After nearly five years of enforced disappearance and torture, the Houthi-run Specialized Criminal Court (State Security) has sentenced four of them to death and other five of them to different periods in jail.

At the dawn of June 9, 2015, an armed group borne by four Houthi military vehicles stormed a hotel in the capital, Sana'a. Local journalists were living and working from the hotel in order to access electricity and Internet. Nine journalists were arrested and forcibly disappeared to an unknown location, and nothing was known about their condition of whereabouts for more than 3 months. Finally, after consistent pressure from the journalists' families, security services revealed that they were being held in "Al-Thawra" detention prison. The group was ultimately kept at Al-Thawra for six months before they were moved to the "Habra" prison facility. At the Habra facility, they were subjected to solitary confinement and isolation again for more than a month, as well as psychological and physical torture, beatings, hanging by the hands, and intensive interrogation sessions sometimes that lasted for more than 10 hours. They were prevented from meeting their families or receiving any visitors, and the group carried out a hunger strike at one point to protest their ill-treatment and demand their rights. Finally, the group was transferred to the "Political Security" prison where they were held until the Houthis held the first session of their trial. This first investigatory session occurred on December 9, 2019, but none of the group was allowed legal representation despite repeated requests. After the session, the group's lawyers submitted a request to obtain a copy of the session file, but the court rejected their request. On January 6, 2020, the second session of the journalists' trial was held without the journalists' presence and was postponed by the court under the pretext that a number of journalists and activists intended to gather in front of the court to demand the release of their detained colleagues. The third court session was held on January 27, 2020, and the fourth session on February 17, 2020 after being postponed due to the absence of a representative of the Public Prosecution office. On March 9, the fifth session was held, in which the file of the journalists was referred for a verdict – **all nine were found guilty**. On April 11, 2020, the sixth and final session was held for sentencing. Abdul Khaleq Emran, Akram Al-Walidi, Hareth Humaid, and Tawfiq Al-Mansouri were all sentenced to death on the grounds of their media work. The other 5 journalists, namely, Hisham Tarmoum, Hisham Al-Yousifi, Haitham Rawah, Issam Balghith, and Hassan Annab, have been sentenced to various periods in jail.

After their years of detention, several of the journalists suffer from long term health complications and trauma-related psychological problems, including diabetes, heart and spine diseases, arthritis, urinary tract infections, depression, anxiety, and PTSD.

The Suffering of Journalists' Families:

The families of the journalists have experienced reverberating effects of their loved ones' over seven year detention. These families have struggled to pay for the legal representation and support of their loved ones while imprisoned and have subsequently accumulated crushing financial debt.. The prolonged distress of their detention also led to a deterioration of several family members' physical health, and three fathers of the journalists sentenced to death unfortunately passed away.

Abdul-Khaleq Emran's father died 6 years after his son's arrest while Emran was still detained and could not participate in the burial. Emran later wrote a **poem** lamenting his father, which was smuggled on a small paper out of the prison. At that time, Emran's brother sent a message to the Houthis, saying, "I beg you by God and humanity to release my brother Abd al-Khaleq Emran and my brother-in-law Tawfiq al-Mansoori, in honor of my father, who died desperate for his son, whom he had not seen for more than 6 years." The Houthis did not respond to his request.

Tawfiq al-Mansouri's father passed away 6 years after his son's arrest while his mother participated in all the protests demanding the release of her son and his colleagues. During the release of the five journalists sentenced to prison time, , Tawfiq's mother stood among the crowds at the airport in Hadramout Governorate, waiting for her son to be part of the arranged prisoner swap. She told reporters at the time, "I hope to live soon the same joy felt by the mothers of the released prisoners and abductees." She waited for her son among the released but her hope was in vain.

Hareth Humaid's father fell ill after several years of his son's detention. His family hid the news of his father's illness from Humaid, saying instead that his father was traveling for fear of the affect the death would have on Huamid's psychological and health condition. Eventually, Humaid's father was able to visit one final time, but he was on a wheelchair. After the visit, his health continued deteriorated quickly until he died. Upon his passing, Harith's mother screamed in a voice full of pain in her local dialect as she beat her chest, "they took my soul away by abducting my son, what was his crime/what wrong did he do? Is to be a journalist a criminal? Give me back my son Al-Harith. I have been living as if dead since they detained him".Finally, Akram Al-Walidi's mother has experiences extremely distress and depression since her son's detention, ultimately leading to increasing loss of vision, and his entire extended family has struggled with increased poverty and food insecurity. Akram was their sole supporter prior to his detention...

Legal Procedures:

The entire trial process fell short of basic fair trial standards stipulated by both Yemeni law and international law. Throughout their ordeal, when the journalists were initially arrested, during their detention and interrogation lawyers were not allowed to meet with their clients, be present during questioning, or attend any of the court the sessions except for the first trial session. In addition, the circumstances of their detention included repeated and grave violations of international human rights law, including torture, isolation, and refusal of medical care. Even after their families were able to push for court proceedings to being, the Houthis tried the journalists in the Criminal Court (State Security), which is not competent under Yemeni law to try journalists. Their cases should have been within the jurisdiction of the Press and Publications Court. All these procedures are considered a violation of national and international laws. Yemeni law does not allow the security authorities to arrest anyone for more than 24 hours before bringing the case to the prosecution, and without sufficient evidence they must release the detainee. Yemeni law also criminalizes imprisonment for more than seven days without obtaining judicial orders to extend the detention for the necessity of investigation. According to the Yemeni Code of Criminal Procedure and to the International Covenant on Civil and Political Rights, to which Yemen is a party, “No one may be deprived of his freedom except for reasons stipulated by law and in accordance with procedures established therein, and whoever is arrested must be notified at the time of arrest of the reasons for his arrest and immediately notified of any charges against him. the Yemeni Criminal Procedure law states :” Persons accused of criminal offenses shall be promptly brought before a judge or other officer authorized by law to exercise judicial functions, and the accused shall be entitled to trial within a reasonable time or to release.” Sabra, the lawyer of journalists sentenced to death say: “holding the first trial session for the journalists after more than 4 years of enforced disappearance and torture, is a clear violation to the Yemeni Criminal Procedure law “.

“the court judge has expressed his prior conviction to convict the four journalists in the first court session, as he said, addressing the journalists while they were in the dock, with explicit words “You are the enemies of God and the people.” This is a violation of the impartiality and independence of the judiciary” sabra added.

The Media Freedoms Observatory has documented the testimonies of lawyers as well as the five released journalists. All of whom confirmed that the trial took place illegally and outside the usual legal framework for investigations and hearings. During the trial, all detainees were not allowed to meet their lawyers, with the exception of some meetings during the investigation and trial sessions. In addition, the journalists' lawyers were threatened with arrest and accused by the Public Prosecution of treason and cooperation with foreign countries over their defense of the journalists. In addition to the aforementioned illegal procedures practiced by the Houthi judiciary during the course of the trial of the four journalists, the session judge expelled the journalists' lawyer at the beginning of the second trial session and prevented him from attending and pleading in the rest of the sessions until the death sentence is issued. This is a violation of national and international laws that guarantee the detainees the appointment of a lawyer to defend them. This means that throughout the sessions of the journalists' trial, the defense lawyer was unable to attend the trial sessions except for one session only, not to mention the lack of jurisdiction of the Specialized Criminal Court (State Security) whose role is limited to terrorism cases and State Security, where the cases of journalists were supposed to be

referred to the Press and Publications Court for publishing cases, according to the Yemeni Press and Publications Law issued in the year 1990 AD.

Abd al-Majid Sabra, the lawyer for the four journalists sentenced to death, confirmed that the journalists have endured a difficult and dangerous legal situation. He said that he was prevented from attending the investigation sessions and pleading on behalf of the journalists, and he was assaulted by the soldiers guarding the session. The prosecution accused him of serious charges such as treason, subsidizing foreign countries by the prosecution, and “collaborating with the countries of aggression” in its memorandum submitted to the Specialized Criminal Court of Appeal. The charge was brought against him in response to his defense of his four client journalists, despite their commitment to the rules and judicial laws in pleading and defending journalists.

The journalists’ defense team affirmed in a memorandum submitted to the Specialized Criminal Court of Appeal that it has no jurisdiction to consider this case, as it should be considered by the Press and Publications Court, according to the text of Article (103) of the Yemeni Press and Publications Law issued in the year 1990. The penalty stipulated by the law in case of publishing news affecting the supreme interest of the country, including confidential documents and information, does not exceed 10,000 Yemeni riyals, or imprisonment for a period not exceeding one year, according to Article (104) of the same law. This is what the criminal court violated by detaining journalists for more than seven years, and issuing a death sentence against them.

Impunity Increases Violations Against Journalists:

The case of these four detained journalists has garnered significant international attention and have been reported on by organizations such as **Amnesty International**, **Canal France international (CFI)**, **international media support (IMS)**, and the **International Federation of Journalists**. International, regional, and local advocacy organizations have continuously called for their immediate release as well as the release of all those detained on charges related to media work. However, the Houthi authorities have yet to issue a response, and more pressure and joint action are required at the national and international levels in order to bring those unfairly detained back to their families after these long years of suffering in prison.

Bringing actors who commit crimes against journalists to justice and providing mechanisms for accountability are the most important guarantees for freedom of expression and access to information for all people, especially since these violations have increased dramatically during the years of war. Since 2014, the number of violations has reached more than two thousand and four hundred violations, including 52 cases of murder. All these violations have thus far gone unpunished, and they risk falling even further off the radar of the international community. For the sake of Yemen’s future, we must not look away.

■ **Abd al-Khaleq Emran**

Name: Abdul Khaleq Ahmed Abdo Emran.

Marital status: Married and has a son and a daughter

Date and place of birth: 1985 - Hajjah Governorate, Yemen

Profession: Editor-in-Chief of Al-Islah Online website

The charge: Publishing fake news and disturbing the public security of the state

Current status: Sentenced to death - Sana'a

The violator: the Houthi group

■ **Tawfiq al-Mansouri**

Name: Tawfiq Mohammad Thabet al-Mansouri

Marital status: Married and has three children.

Date and place of birth: 1984 - Wassab - Dhamar Governorate, Yemen.

Profession: A journalist in Al-Masdar daily newspaper

The charge: Publishing fake news and disturbing the public security of the state

Current status: sentenced to death - Sana'a

The violator: the Houthi group

■ **Hareth Humaid**

Name: Hareth Salih Salih Humaid

Marital status: single

Date and place of birth: 1987 – Ibb, Yemen

Profession: A journalist in Alrabie Net website

The charge: Publishing fake news and disturbing the public security of the state.

Current status: sentenced to death - Sana'a

The violator: the Houthi group

■ **Akram al-Walidi**

Name: Akram Saleh Saad Al-Walidi

Date and place of birth: 1986 – Raima, Yemen

Marital status: single

Profession: A journalist in Alrabie Net website

The charge: Publishing fake news and disturbing the public security of the state

Current status: Sentenced to death - Sana'a

The violator: the Houthi group

This report is issued by the Media Freedom Observatory in Yemen, a professional and independent monitoring and information platform that provides informational maps on violations of the press and freedom of expression throughout Yemen.

The Media Freedom Observatory in Yemen is one of the most important sources of information for local and international observers and stakeholders about media and media freedom in Yemen. The platform systematically provides documented stories on violations of, and issues periodic reports on, media freedom and the media scene in Yemen in general.

The platform seeks to contribute to the protection of journalists and enhance their safety through monitoring, analyzing and advocating for their issues at the local and international levels.


The Media Freedom Observatory is an affiliated program to the studies & Economic Media Center (SEMC)



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