



Sabri bin Makhashen..

A journalist Who Found No Safety
in His Homeland or In Exile!



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About us

The Media Freedoms Observatory in Yemen, affiliated with the Studies and Economic Media Center (SEMC), is the first platform dedicated to monitoring violations and advocating for journalists' issues in Yemen. It publishes information related to media freedoms and supports journalists' causes both locally and internationally.

The Observatory produces monthly and periodic reports that provide a comprehensive view of the media landscape in Yemen, aiming to contribute to a safe media environment and to reduce impunity. Additionally, it offers integrated emergency services for all male and female journalists and media professionals through a team of experts and specialists.

Emergency support

Legal Support:



Defense and advocacy before security and judicial authorities, in collaboration with the "Coalition of Lawyers for Journalists' Defense." This also includes legal consultations and review of journalistic investigations prior to publication to avoid legal issues or arrest.

Psychological Support:



Direct support sessions in a fully equipped clinic that ensures the confidentiality of your data, as well as through online sessions.

Digital Security:



Consultations with experts to help you counter threats and hacking attempts.

To apply, visit the following link:
<https://marsadak.org/assistance/>

The Expanded Investigative Evidence for Human Rights Program in Yemen:

The Expanded Investigative Evidence for Human Rights Program in Yemen aims to enhance the recognition and protection of human rights in Yemen by empowering Yemeni civil society to advocate for justice and accountability through human rights documentation, news dissemination, and advocacy efforts. This program systematically documents evidence gathered from various sources, retaining, verifying, analyzing, and reporting on it. The focus is on human rights violations committed by all parties involved in the Yemeni conflict.

The results of this analysis have been summarized and presented in a series of investigative reports that focus on specific incidents of human rights violations. This program also supports the efforts of Yemeni civil society organization partners in undertaking strategic advocacy, community awareness, and interventions aimed at involving victims and survivors at both local and international levels.

The Observatory has established numerous community alliances to defend journalists' rights and create a safe and conducive environment for freedom of opinion and expression. Among these is the "Justice 4 Yemen Pact," which includes a group of human rights organizations and civil society actors. This coalition works to promote and protect the human rights of all segments of the Yemeni population, with a particular focus on those who are most vulnerable and marginalized.

The Justice 4 Yemen Pact:

The Justice 4 Yemen Pact represents a coalition of human rights organizations and civil society actors that are united for the promotion and protection of human rights in Yemen. The coalition's mission is to advocate for the rights of all Yemeni people, particularly those who are most vulnerable and marginalized. Yemen has been plagued by years of conflict and violence at the hands of all armed parties. The coalition recognizes the urgency of the situation and is committed to addressing the systemic human rights violations in Yemen. The Justice 4 Yemen Pact works to empower Yemeni people to claim their rights, raise awareness of violations, and advocate for justice and accountability at local, national, and international levels. The Justice 4 Yemen Pact is guided by the principles of respect for human dignity, equality, justice, and non-discrimination. We believe that by working together, we can end impunity, provide meaningful support and redress for victims, and contribute to a more peaceful, just, and prosperous future for Yemen.

Executive Summary

The Report documented the violations and abusive practices faced by journalist Sabri bin Makhashen, including arrest, assault, threats, incitement, and prosecution due to his critical writings and journalistic reports on the situation in Hadhramaut Governorate. The court labeled Sabri as a “fugitive from justice” and requested his arrest through Interpol, as he is currently outside Yemen.

Bin Makhashen has faced this difficult situation for nearly six years because of his role as a journalist. These abuses began during the tenure of former Hadhramaut Governor Faraj Al-Bahsani, known for his hostility towards journalists, who is now a member of the Yemeni Presidential Leadership Council (PLC). During Al-Bahsani's tenure, 51 out of a total of 79 documented violations against journalists were recorded from 2015 until the end of 2023, indicating a significant misuse of power by Al-Bahsani during that period.

These statistics and figures highlight the significant challenges faced by journalists in Hadhramaut Governorate, particularly from entities that are supposed to support the pursuit of justice. The report includes official documents and records that reveal legal irregularities related to the case of Bin Makhashen, which conflict with national laws and international agreements for the protection of journalists. Among the documents is one dated December 2, 2018, requesting his transfer to the Central prison in Hadhramaut, even though he was not detained at that time, indicating a premeditated intention to silence dissenting voices.

The report also shed light on the medical neglect that Sabri Bin Makhashen faced while in detention, which worsened his health conditions. It included legal analysis outlining the violations that occurred throughout his case, highlighting the acts of security and judicial authorities to suppress journalists.

In conclusion, the report presented a set of recommendations and demands to various relevant parties, both locally and internationally, aimed at ensuring the rights of journalists and protecting them from violations.

Introduction

Violations against journalists and media outlets in Yemen are increasing rapidly, eroding the environment for free and independent media.

This is happening amidst the growing dominance of practices that lack basic legal standards and infringe on people's right to express themselves and access accurate and true information.

Over 10 years of war, journalists in Yemen have paid a heavy price, facing violations such as arrests, enforced disappearances, torture, displacement, and trials. These hostile actions paint a grim picture of the state of media freedoms in Yemen. This is particularly disheartening, given that Yemen had made significant progress in freedom of expression in both legislation and practice before the current conflict.

Hadramout Governorate was classified as one of the most repressive regions in Yemen under the control of the Yemeni government in terms of press freedoms during the tenure of Faraj Al-Bahsani as governor. The period witnessed a series of violations and crackdowns on freedom of opinion and expression, marked by arrests and persecutions targeting anyone who disagreed with or criticized the authorities through media outlets or social media platforms.

Many journalists at the time were unable to return to their homes after fleeing Hadhramaut, fearing for their lives. Among them were Mohammed Al-Yazidi, Awad Kashmir, Sabri bin Makhashen, and Mohammed Al-Sharafi, who were tried in absentia.

Violence against journalists in Yemen has resulted in more than 2,500 violations since 2015, including 54 cases of killing, two of which were women journalists. In 52 of these cases, the perpetrators escaped justice and the victims were denied redress.

The statistics and figures recorded in Hadhramaut Governorate from 2015 until the end of 2023 highlight the scale of challenges faced by journalists in the Governorate. A total of 79 violations against journalists were documented, including 51 violations during the tenure of Faraj Al-Bahsani, who was expected to support the pursuit of justice. This indicates a misuse of power during that period.

Hadhramaut Governorate witnessed an unprecedented violation in the last two decades of Yemen's history with the arrest of a female journalist, Hala Badawi, who was detained for

more than 100 days. She was forcibly disappeared and tortured due to her journalistic writings, before her detention was acknowledged at the Military Intelligence prison in Hadhramaut, eastern Yemen. She was accused of engaging in hostile and destructive activities, in addition to being subjected to a defamation campaign, including the dissemination of fabricated videos about her. This caused severe psychological and humanitarian distress for both Hala and her family.

The impunity of perpetrators has exacerbated the targeting of journalists without fear of punishment. This leads to accusations of serious charges against journalists without evidence or proof, and with no adherence to Yemeni or international laws and treaties. In recent years, journalists have been increasingly summoned and tried in non-specialized courts, facing serious accusations such as terrorism and destabilizing security without any legal evidence or solid proof. This is a direct consequence of the war in Yemen, where security and judicial authorities have been exploited to serve the interests of conflicting parties, contributing to violations of Yemeni laws and international agreements on freedom of expression and human rights.

This is precisely what happened to journalist Sabri bin Makhashen, who was interrogated by military intelligence, even though the record of statements does not fall under the jurisdiction of military intelligence. Instead, this responsibility lies with the Ministry of Interior, assuming there was a crime committed by journalist Sabri bin Makhashen.

Through this report, we aim to shed light on the suffering of Sabri bin Makhashen, who was subjected to severe violations due to his media activities, and to highlight the similar fate faced by many others at the hands of an authority that should be protecting journalists and supporting them in the pursuit of justice.

We consider this report an important contribution to documenting everything related to media freedoms, with the goal of promoting freedom of the press and emphasizing the vital role of journalists and media outlets during Yemen's current phase.

Methodology



The data and information presented in this report concerning the situation of journalist Sabri bin Makhashen confirm that all actions taken against him were in clear violation of national and international human rights laws and treaties. This includes the initial censorship, arrest, and accusations of undermining security as these charges were used against anyone expressing dissenting opinions.

The report is based on an interview with the journalist, bin Makhashen, where he detailed the arbitrary actions he has faced since 2018. It also includes an interview with his defense attorney before the prosecution and courts, alongside a review of official documents, court records, and the indictment decision.

The report also utilized legal analysis, referring to laws and treaties related to the protection of journalists and human rights, as well as Yemen's Press and Publications Law and the Criminal Procedure Law. By comparing these legal frameworks with the procedures implemented in the case of Bin Makhashen, it is evident that the actions taken in that case were in complete contradiction with international treaties and the domestic laws in force within the Yemeni Constitution.

The Moment of Arrest



At 11 A.M. on December 3, 2018, Journalist Sabri bin Makhashen left his home in the Ba'aboud area of Hadhramaut, accompanied by his two-year-old son, to buy some household items. Little did he know that his short trip would turn into a nightmare that would haunt him for years. Bin Makhashen recounts the details of that moment, saying, "As soon as we got into the car, military intelligence forces affiliated with the Second Military Region in Hadhramaut surrounded us. They forcibly arrested me in front of my child and took me to the military intelligence prison without any legal justification."

Before his arrest, Journalist Sabri bin Makhashen [posted on his Facebook page](#) that he had been subjected to both public and private threats and incitement aimed at silencing him. This pressure came from the local authorities in Hadhramaut in response to [his critical writings and investigative reports](#), which exposed some corruption cases and criticized the situation in the Governorate.

Military Intelligence and the Central Prison in Hadhramout

Bin Makhashen was held in solitary confinement by Military Intelligence without being interrogated or informed of the charges against him. He was also not allowed to communicate with his family or receive visits from them until five days after his imprisonment, which was a result of Sabri's hunger strike from the first day in prison. This was the first and only time Sabri was able to see his family during his time in detention.

After approximately a month in solitary confinement, on December 29 and 30, 2018, bin Makhashen was interrogated about his publications that combat corruption and criticize the

conditions in the governorate, according to the Statements Record reviewed by the report's author.

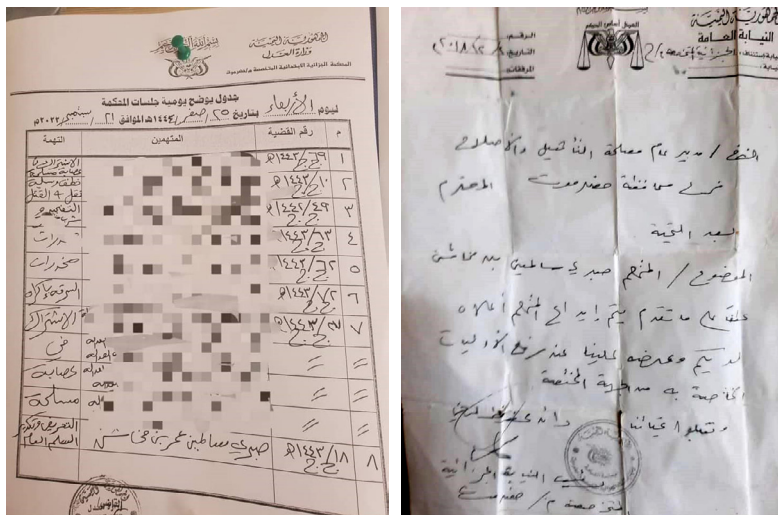
Ramzi Al-Naqeeb, the attorney for Sabri bin Makhashen, stated, "The collection of evidence does not fall under the duties or jurisdiction of Military Intelligence; rather, it is the responsibility of the Ministry of Interior, assuming there is a crime committed by Journalist Ben Makhashen."

Their attempts to fabricate charges against bin Makhashen were not limited to interrogating him about his publications. They also took his mobile phone and searched it in addition to his account statement from Al-Amqi Money Exchange Company, which was brought up during his interrogation, according to bin Makhashen.

On January 1, 2019, bin Makhashen was transferred from the custody of Military Intelligence to Central Prison, based on a letter from the Chief Prosecutor of the Criminal Court in Hadramout, Judge Raed Al-Radhi, to the Central Prison. However, it is peculiar that the transfer request was dated December 2, 2018, which is while Sabri was still free and had not yet been arrested.

In this regard, bin Makhashen stated that the purpose of this letter was to provide Military Intelligence with legal cover that Sabri was interrogated by the prosecutor's office. According to bin Makhashen, no charges were brought against him by the prosecutor's office, and he was not interrogated by them.

Bin Makhashen remained in the Central Prison for nearly a month without being interrogated by the prosecutor's office, and no direct charges were brought against him. His case file was not submitted to the Criminal Court until nearly two years after his imprisonment.



During bin Makhashen's two-month detention at Military Intelligence and the Central Prison, his family and colleagues took to the streets demonstrating against his detention to pressure local authorities to release him. As a result, family members and the chief of his tribe, Aida Omar, were summoned to the home of former Hadramout Governor Faraj Al-Bahsani, where they were coerced into signing pledges to prevent Sabri from writing, after which he was released.

Health Condition

From the first day of his solitary confinement, bin Makhashen went on a hunger strike in protest the injustice he was facing. After five days of the strike, his health deteriorated, necessitating his transfer to the emergency department of the Second Military Region Hospital for treatment.



This was not the only time Sabri's health deteriorated. Bin Makhashen stated, "Three weeks after my return to prison, my health deteriorated again due to a lack of necessary medication for my diabetes, hypertension, and other conditions I suffer from."

He added, "The unhealthy environment in prison exacerbated the chronic illnesses I suffer from, and it also worsened an old injury in my left shoulder." Bin Makhashen's suffering was not limited to physical aspects alone; he also faced psychological pressures, stating, "Officers would enter the solitary confinement cell and threaten me with elimination and harm to my family."



Hunter of Press Freedoms

Journalist Sabri bin Makhashen was not the only victim of the suppression of press freedoms during the tenure of former Governor Faraj bin Salmeen Al-Bahsani. Other journalists, including Awad Kashmim, the head of the Violations and Freedoms Committee at the Yemeni Journalists Syndicate, as well as Mohammed Al-Sharafi, Mohammed Al-Yazidi, Abdullah Bakeer, female journalist, Hala Badawi, and others in Hadhramaut faced various accusations, persecutions, and restrictions on their journalistic freedoms.

International organizations did not overlook these violations. **Reporters Without Borders issued a statement** condemning the numerous violations of press freedom in Yemen's Hadhramaut Governorate during Al-Bahsani's tenure and calling on his successor to protect journalists.

In a related context, Nabil Al-Osaydi, head of the Freedoms Committee at the Yemeni Journalists Syndicate, confirmed that Hadhramaut witnessed the worst period for press freedom and its violations during the term of former Governor Major General Faraj Al-Bahsani, the effects of which are still felt today.

Al-Asadi added that many journalists faced assaults, trials, and imprisonment in Hadhramaut, particularly during Al-Bahsani's rule, whom he described as a "hunter of press freedoms."

According to the **Yemeni Media Freedoms Observatory**, Hadhramaut Governorate witnessed 79 arbitrary violations by security authorities from 2015 until the end of 2023. Of these, 51 violations occurred during Al-Bahsani's tenure as governor. The Observatory considered this number to be high compared to other Yemeni governorates, especially given the relative stability that Hadhramaut has enjoyed.

Travel Ban



When Journalist Sabri bin Makhashen was released, his physical and mental health had deteriorated. The unhealthy environment he experienced in prison worsened the conditions he was already suffering from.

The illnesses did not spare bin Makhashen for long. Shortly after his release, he decided to travel to Cairo with his family for treatment due to the worsening of his health. However, just an hour after booking his tickets and receiving them, he was surprised to receive a call from an official in the Military Intelligence in Hadhramaut, informing him that he was banned from traveling. Despite this, he was able to travel through the Seiyun Airport, as the travel ban had not yet been entered into the Seiyun Airport system at that time.

Bin Makhashen attributes the travel ban to the fact that Military Intelligence had been monitoring him and tracking his movements since his release. After months of treatment, he attempted to return to Hadhramaut to complete some paperwork. However, he found himself banned from traveling through Seiyun Airport.

He was detained for two days before being able to travel on December 28, 2019. He was only allowed to travel after the Director General of Security and Police in Hadhramaut, Brigadier General Mubarak Ahmed Al-Awbathani, submitted a letter to the airport clarifying that there were no legal files or claims against him.



Ongoing Persecution

Despite completing his medical treatment, Sabri bin Makhashen explains the reasons that led him to return to Cairo, saying: "I decided to return to Cairo to live there due to the unsafe situation and increasing threats. My options were either to stop writing or to find a safe environment to continue writing. Considering that, I chose the latter and decided to fulfill my commitments in Hadhramaut and relocate to Cairo to continue my work as a journalist without restrictions."

Bin Makhashen's decision to stay in Cairo and continue his critical writing about the former governor of Hadhramaut, Faraj Al-Bahsani, did not go unnoticed. On May 12, 2020, bin Makhashen was informed that the Specialized Criminal Prosecution in Hadhramaut had summoned his guarantor, Saeed Mohammed bin Makhashen, demanding that Sabri bin Makhashen appear before the court on charges of inciting soldiers in Hadhramaut to mutiny and neglecting their duties.

On December 9, 2021, the Hadhramaut authorities ordered bin Makhashen's referral to trial in a criminal court, labeling him a fugitive from justice and requesting Interpol to arrest him due to his journalistic activities. He was accused of posting false news and information, inciting public opinion, and disturbing public order and security. These are the same charges used by security authorities in various Yemeni governorates, whether under the Yemeni government or the Houthis, against anyone who disagrees or criticizes them.

Despite widespread media campaigns organized by several local and international organizations, the security authorities continued their harassment and persecution of critics and opponents of Al-Bahsani's authority. This led the Media Freedom Observatory to **describe Hadhramaut as a "heavy hand" on journalists.**

During Al-Bahsani's rule, **a female journalist was detained** for more than 100 days due to her work. During that time, she was forcibly disappeared, tortured, and subjected to a defamation campaign. This was the first time in decades that a female journalist was arrested and accused of spying for foreign countries.

The **Yemeni Journalists Syndicate condemned** the trial of journalist Sabri bin Makhashen in absentia before a court that was not specialized in press cases, noting that criminal courts handle terrorism and other serious crimes.

Bin Makhashen described his and his family's situation after the Interpol arrest request was made to arrest him: "I had never felt such fear in my life as I did after they request Interpol to arrest me. My family and I lived through difficult, terrifying days, constantly anxious, wondering what would happen to me, how I would be taken from Egypt, and what would happen to my children and family."

On July 31, 2022, the Chairman of the Presidential Leadership Council, Rashad Al-Alimi, issued a presidential decree dismissing Hadhramaut governor Faraj Al-Bahsani and appointing Mabkhout bin Madi as his successor.

Sabri expressed his happiness over Al-Bahsani's dismissal in **a live broadcast on his Facebook page**, titled "Hadhramaut Freed from the Tyrant Al-Bahsani and Hadhramaut is full of joy now."

About two months after Mabkhout bin Madi was appointed as the new governor of Hadhramaut, he announced a fresh start in relations with journalists, pledging to resolve previous cases and offering protection for journalists, ensuring they wouldn't be prosecuted for their journalistic work.

However, Sabri's happiness was short-lived. He was shocked when the Specialized Criminal Court in Hadhramaut announced a session for his trial in absentia on Wednesday, September 21, 2022, accusing him of incitement and disturbing public order.

During a discussion seminar organized by the **Yemeni Media Freedom Observatory on the legal protection of journalists** in Yemen on September 20, 2022, Journalist Sabri bin Makhashen commented on the court's announcement: "Despite the governor's directives to resolve all cases in courts and prosecutor's offices and settle journalists' issues amicably, we were surprised by the court summoning me for trial tomorrow."

Acquittal and New Charge



A week after a case was filed against journalist Sabri bin Makhashen for incitement and disturbing public order, the Yemeni Journalists Syndicate appointed Lawyer Ramzi Al-Naqeeb to represent him. After several sessions, on May 31, 2023, the Specialized Criminal Court in Hadhramaut acquitted Sabri of all charges related to incitement and disturbing public order.

After five years of **forced displacement** outside Yemen, Sabri returned to the city of Mukalla following an invitation from the new governor, Mabkhout bin Madi. The governor informed him of another case filed against him in the Criminal Prosecution for allegedly insulting a judge in a minor crime case, but assured Sabri that he had intervened to resolve it.

During Sabri's visit to Mukalla, he was surprised, once again, by an arrest warrant issued by the Specialized Criminal Prosecution of Hadhramaut on September 4, 2024. The new charge was filed just a month after his acquittal, this time accusing him of insulting a judge. When asked about the reason for the new charge, Sabri stated that it stemmed from a complaint he had filed against the judge with the Attorney General, accusing the judge of exploiting the judiciary to target journalists and innocent people. Sabri added: "The judge, Raed Luradi, considered my complaint an insult and filed a lawsuit against me. I have no knowledge of this case, nor do I have a lawyer."

Sabri explained that his complaint included several cases against fellow journalists, including Awad Kashmeem and Hala Fouad, which could have led to death sentences. However, they were eventually acquitted, highlighting a serious flaw in the judicial process and the misuse of public prosecution to target journalists and opponents.

Sabri also mentioned the severe harm that he and his family had endured since 2018, including the recent request to Interpol to force him to appear in court, which he deemed illegal.

Sabri posted the complaint on his Facebook page, stating that the Prosecution Office had filed a notice in the newspapers, demanding his presence in court for trial.

Efforts to Support Sabri's Case

As part of the efforts to defend press freedom and journalists' rights, many human rights organizations have supported Journalist Sabri bin Mokhashin. The Media Freedoms Observatory led extensive advocacy campaigns, demanding an end to the harassment and persecution of journalists in Hadhramaut, including Sabri.

The head of the Freedoms Committee of the Yemeni Journalists Syndicate, Nabil Al-Osaydi, discussed the actions taken by the syndicate to support Sabri since his arrest in 2018.

Al-Osaydi said, "The Syndicate has stood by bin Makhashen since the beginning of the case, through statements, solidarity, and presenting his case both locally and internationally." Regarding the latest case, Al-Osaydi added, "The syndicate appointed a lawyer to defend Sabri and follow up on his case at the primary court, ensuring ongoing support and protection for journalists."

Legal Analysis

According to Yemeni Press and Publications Law, the Yemeni Constitution, and the Code of Criminal Procedures, the facts mentioned in this report amount to arbitrary detention, medical neglect, and psychological torture.



Article 48 of the Yemeni Constitution emphasizes that a citizen's freedom cannot be restricted except in cases defined by law and by a ruling from a competent court, ensuring the dignity and personal freedom of the citizen. Additionally, **Article 13 of the Yemeni Press and Publications Law** affirms that a journalist cannot be held accountable for opinions or information published unless their actions violate the law.

This is also reinforced by **Articles 73 and 76 of the Code of Criminal Procedures**, which require that arrests must be carried out with a judicial warrant from the Public Prosecution or a court, and the detained individual must be informed of the reasons for their arrest, with the right to review the arrest warrant and have legal counsel.

The actions taken by Military Intelligence involve arbitrary arrest and violate Principle 4 of the Code of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, **which states**,

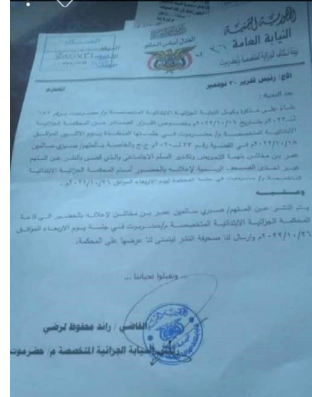
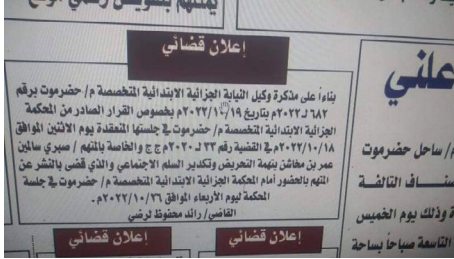
"No person shall be subjected to any form of detention or imprisonment unless it is ordered by, or subject to the control of, a judicial or other authority."

Yemeni law also prohibits law enforcement officers from arresting any individual without a judicial warrant, except under urgent procedural necessity in specific cases, as outlined in **Article 103 of the Code of Criminal Procedures**, which states,

"Law enforcement officers must arrest individuals in the following circumstances:

- 1.** If ordered by a legally authorized party.
- 2.** In the presence of the arresting authority and under their supervision.
- 3.** If the individual has been publicly summoned or announced for arrest by a legally authorized authority.
- 4.** In the cases outlined in Article 98.
- 6.** If the individual commits a non-serious crime punishable by imprisonment and there is strong evidence of their involvement, and if one of the following conditions is met:
 - If they have no known residence in the country.
 - If strong evidence shows they are attempting to hide or flee.
 - If they refuse to provide their name or identity or give false information, or refuse to go a police station
- 7.** If they are in a state of possible intoxication.
- 8.** If there are strong reasons to suspect they are fleeing arrest."

Commenting on this, Ramzi Al-Naqeeb, the lawyer for journalist Sabri bin Makhshen, states that none of the conditions outlined in **Article 103 of the Code of Criminal Procedures** were met in the arrest of journalist Sabri bin Makhshen.



Sabri was held by Military Intelligence for nearly a month in solitary confinement without investigation or being informed of the charges against him. His case was referred to the criminal prosecution almost two years after his detention, which is a violation of the law. The Yemeni Law does not allow for the detention of any individual for more than 24 hours without charges from the prosecution, according to Article 76 of the Code of Criminal Procedures, which states,

“Anyone arrested temporarily on suspicion of committing a crime must be presented to the judiciary within 24 hours of the arrest. The judge or prosecutor must inform the individual of the reasons for their arrest, question them, allow them to present their defense, and issue an immediate decision to either release them or extend their detention. Under no circumstances may pretrial detention exceed seven days without a judicial order.”

Furthermore, the interrogation of bin Makhshen at the Military Intelligence prison nearly a month after his detention violates Article 218 related to crimes involving journalists. The Attorney General's instructions require that journalists cannot be investigated

without notifying the Journalists Syndicate, allowing a representative to attend the investigation sessions.

The investigation into bin Makhashen also violated Articles 6 and 71 of the Code of Criminal Procedures, which prohibit psychological or physical torture to force a confession. Any statement made under such circumstances is inadmissible.

The search of Sabri bin Makhashen's phone during the investigation by Military Intelligence, without a warrant for its seizure and inspection, is illegal. Even if such an order existed, it would be invalid since this process must be conducted by the prosecution, not law enforcement officers. This is according to Article 123 of the Yemeni Code of Criminal Procedures, which states:

"No person may be searched, homes entered, postal correspondence inspected, or wire or wireless conversations recorded, nor personal items seized, except by order of the Public Prosecution during the investigation or by a judge during the trial."

These practices by Military Intelligence officers are punishable under Yemeni law, specifically Article 166 of the Penal Code, which states:

"Any public official who, during the performance of their duties, falsifies facts or uses force or threats to compel a suspect, witness, or to confess to a crime or provide information will be punished by imprisonment for a period not exceeding ten years, without prejudice to the victim's right to retribution or compensation."

Sabri bin Makhashen's suffering due to medical neglect behind bars, which worsened his health condition, is a severe violation of Yemeni law. Article 23 of the Yemeni Prison Regulations Law states that the prison administration must maintain public health within the prison, provide medical care and preventive healthcare to prisoners, and appoint specialized doctors in coordination with the Ministry of Public Health.

Moreover, Principle 9 of the Basic Principles for the Treatment of Prisoners emphasizes that prisoners should have access to the same health services available in the country without discrimination based on their legal status.

Recommendations



For the Yemeni Government:

Strengthen Journalist Protections:

Take effective measures to protect journalists from arbitrary arrest and threats, ensuring freedom of expression and supporting their pursuit of justice.

End Harassment Practices:

Cease campaigns of harassment, censorship, and repression against journalists and media workers.

Ensure Justice and Accountability:

Enhance efforts to provide justice and reparations for victims, establish accountability, and end impunity by holding those responsible for human rights violations accountable. And prosecute Military Intelligence leaders and all those involved in the arrest of journalist Sabri bin Makhashen.

Immediate Release of Detainees:

Release all journalists detained in Yemeni government prisons immediately.

Reform Laws:

Review and amend laws that restrict press freedom to align with international standards.

Stop Legal Prosecution of Journalists:

The Yemeni government must halt the judicial prosecution and harassment of journalists.

Refer Prosecutions to Specialized Courts:

Prevent the trial of journalists in criminal courts, limiting their trials to courts specialized in published cases.

Strengthen the Judicial System:

Strengthen the judiciary by providing legal and technical support for human rights defenders to pursue cases, gather evidence, and testify.

Provide Healthcare:

Ensure that detained journalists receive necessary healthcare and address any cases of medical neglect.

For the International Community:

Pressure Perpetrators of Violations:

Apply pressure on those committing violations to ensure the protection and respect of journalists' rights.

Immediate and Serious Investigation:

Conduct immediate and serious investigations to establish effective mechanisms to end impunity for crimes against journalists.

Prison Visits:

Visit Yemeni prisons and meet with journalists to assess their conditions.

Establish an Independent Committee:

Create a joint international and local independent committee to investigate crimes against journalists committed by all parties.

Support Local Organizations:

Provide necessary support to local organizations working to protect journalists' rights and promote freedom of expression.

Monitor the Situation:

Continuously monitor the human rights situation in Yemen and document violations against journalists.

Accountability for Disappeared Journalists:

The lack of accountability for cases of disappeared journalists is alarming and detrimental to press freedom and devastating for their families.

For Local Society:

Activate Protection Tools:

Activate all available protection tools and strengthen legal frameworks to address the situation and protect journalists and freedom of expression.

Prepare Regular Reports:

Continue preparing regular reports on the status of journalists' rights in Yemen and submit them to relevant bodies.

Build Journalists' Capacities:

Train and build the capacity of journalists to deal with violations and provide them with legal support. This is the responsibility of the Yemeni Journalists Syndicate and local and international civil society.

For Journalists:

Solidarity and Cooperation:

Journalists must unite and work together to defend their rights, regardless of political affiliations.

Enhance Solidarity:

Strengthen solidarity among journalists and share information about the violations they face.

Document Violations:

Document any violations against them and provide testimonies to human rights organizations to bolster their cases.



Studies and Economic Media Center (SEMC) is one of the Civil society organizations that works on economic field, awareness and promote the economic issues transparency, good governance and participated citizens in decision-making. Also, It works to find a professional media

<https://economicmedia.net/>







Yemen Media Freedoms Observatory (MARSADAK) is a monitoring and information platform aimed at disseminating all matters relating to freedoms of opinion and expression in various Yemeni regions in a professional and independent manner, as well as, analyzing and advocating for journalists' issues at the local and international levels.

<https://marsadak.org/>

ALDAHI - TAIZ - YEMEN

 **00967-4- 246596**

-  www.economicmedia.net
-  economicmedia@gmail.com
-  [@Economicmedia](https://twitter.com/Economicmedia)
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