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## *THE YEMENI LAW AND HOW TO USE IT AGAINST JOURNALISTS*

### *Introduction*

The Yemeni written media enjoy a quite important degree of freedom, especially compared with the climate in the neighbouring countries and those of MENA region. Nowadays, Yemeni people can read more than a hundred newspapers reflecting variety of opinions. Besides this traditional press and since around 2000, they can also consult several webzines to get informed themselves. Nevertheless, the situation is far from being idyllic. Indeed, even if journalists have been enjoying a certain tranquillity to do their job and have been benefiting by the protection of constitution and some other laws, the state has been trying since around 1994 to reduce their freedom in order to increase its control over them. To do it, power of course uses some “traditional” methods in use in the other autocratic regimes: buying silence from “rebels” journalists, putting pressure on them, harassing or attacking them. Even if it largely uses the two firsts methods, it however grumbles at having to do the last one. It is quite easy to understand. On the one hand, western countries, donors and NGOs observe carefully what the state does in the matter of human rights and freedom of expression; so if it would torture a journalist, they could threat him ceasing economic and development help. On the other hand, “rebels” journalists often belong to a political party and/or to a tribe and the state needs these supports to keep control of the country. Torturing or killing one of their members would mean for power jeopardizing its political future. That is the reason why when it faces a problem with some journalists and fails in finding a “soft solution”, it prefers to use a legal way and to bring their case before the courts in order to silence them and, furthermore, to keep an appearance of legality and legitimacy.

The purpose of this article is then to take stock of the situation of the Yemeni written press and of freedom of expression in the country since the reunification of both ex-Yemens in 1990. We will first explain how and in which context Yemeni state has progressively elaborated laws ruling the journalistic field. We will then describe how both opponents, say the state and “rebels” journalists, struggle and act within or outside the legal system and how they use it in order to enlarge their power and/or their independence. We will not list here all the problems which occurred between them, but we will at the very most give some representative examples<sup>1</sup>. Our aim is only to show how the system has been working and evolving during that 18 past years; as we will observe that it has largely been depending on several national and international political and social events during that period. Finally we will analyse the appearance and the development of the electronic media and how the e-journalists have been seizing this new space so as to try bypassing censorship<sup>2</sup>.

### *i- From Golden Age to a more Controlled Press*

#### **New Laws for a New Country<sup>3</sup>**

In 1990, North Yemen (Yemen Arab Republic) and Socialist South Yemen (People’s Democratic Republic of Yemen) have been reunified to form the Arab Republic of Yemen on May 22<sup>nd</sup>. While both ex-Yemen forbade the multi-party system and, except for official organs, did not allow the publication of newspapers, the new Republic and its constitution of 16<sup>th</sup> of May 1991

(amended on 29<sup>th</sup> of September 1994) authorise the first and enlarge the second; indeed, article 41 specifies that “the state shall guarantee freedom of thought and expression of opinion in speech, writing [...] within the limits of the law”<sup>4</sup>.

Besides constitution, has been voted a law (Law no. 25 of 1990) ruling the printed media, known as the Law for Press and Publications (Law for P&P). Relatively liberal, the chapter 5 imposes all the same several limitations on press freedom, the worst being the article 103-1 which forbids any criticism of the President, specifying that “these provisions do not necessarily apply to constructive criticism”.

But we also have to notice that all bans are far from being illegitimate. Indeed, it seems hard to blame banning of defamation, intentional publication of false data, publication of details which might prejudice the course of justice or incitement to use violence<sup>5</sup>. Naturally, if a journalist would transgress the law, he would be subjected to a fine or to a period of imprisonment not exceeding one year; he would finally to be sentenced to cease his practice of journalism (art. 104 and 105).

The Law for P&P reserves also the right to prosecute journalists under other laws like the Penal Code which lists several speech offences and crimes, limiting the exercise of freedom of expression. Within this legal framework, journalists may be imprisoned or sanctioned by death penalty.

The problem of these laws is not the limits they imposed to freedom of expression, but rather that their formulations are vague on many points, like “in the interests of national security”, “within the limits of the law” or also “constructive criticism”. Furthermore none of them gives clear limits to the practice of journalism (Article 19, 2008, 9 and 13). This legal vagueness can give rise to very different interpretations which might be used by power to prosecute and imprison insubordinate journalists. And we will see that it happens later.

On the international level, Yemen has lastly signed several conventions. Besides constitution which commits Yemen to adhere to the Universal Declaration of Human Rights (art. 5), it also signed the International Covenant on Civil and Political Rights<sup>6</sup>, which stipulates and underlines the right for everyone to freedom of expression, to information and to hold opinions without interference. As a member of the Arab League, Yemen should also have ratified the Arab Charter on Human Rights adopted in 2004, and is still expected to do so (Article 19, 2008, 6-7).

### **Press from 1990 to 2001: from the “Golden Age” to Restriction<sup>7</sup>**

Right after the reunification and parallel to the creation of new political parties, Yemen has been witnessing a rise in birth of several official, partisan and independent newspapers. In this euphoric climate, all of them tried taking advantage of the new laws by using the new freedom to participate in the public debate. As a matter of fact, the four first years of the new Republic have been favourable, according to the Yemeni witnesses, to the spreading and expressing of various political, social and economic opinions. It even seems that the state had no policy of censorship at that time.

But quickly, several national problems appeared on the public scenes and Yemeni state put an end to what we call the “golden age” of freedom of expression. The first step was the civil war of 1994. That year, leaders of ex-South Yemen, discontented with the new regime more favourable to the ex-Northern state, has tried to secede. The reaction was immediate: Northern troupes marched against Southern areas and defeated its armies on July. During fighting, buildings of several newspapers close to Socialist regime were bombed, and most of them were forbidden after ceasefire for their support to secessionists (what is an unconstitutional opinion regarding art. 1).

1994 then represents a turning point for press and freedom of expression. Central authorities seem to have considered the free press as one of the main cause of the civil war and decided to

put an end to the golden age. Besides legal limitations (criticism of unification, the President, etc.), Yemeni state also progressively put in place several unofficial red lines of censorship, thus delimiting borders of the authorised speech. It quickly appeared that those were the issues more or less closely dealing with the President and his entourage, mainly: corruption, nepotism, possessions, but also money of oil and criticism towards friend states (among which Saudi Arabia). All journalists quickly learnt that approaching these forbidden topics represented a certain danger, as power multiplied pressures, threats, aggressions, abductions and killings against journalists and newspapers. If one of them would decide to cross these red lines, he would do it in all conscience, knowing that he would to assume the consequences. Apart from these subjects, journalists were allowed to write on all the other matters.

Thanks to this machinery of the law, Yemeni journalists should have benefited from a quite liberal system providing a non-insignificant freedom; if it was the case at the beginning, things quickly went bad as we explain it above. ‘Abdurahman Bâfâdhil, a deputy of the opposition, told recently that “Yemen had a good constitution and several wonderful laws but which were never applied by the government” (Prokop, 2005, 8’48). Concerning the media and freedom of expression, this idea seems true for the eleven first years of the Arab Republic of Yemen. As we have seen, the state did almost never follow legal ways to silence opponent journalists and preferred to use the illegal means we already mentioned. On the contrary, after the 9.11 attacks, it has changed its strategy, utilising the law and turning it to its advantage.

## *ii- 9.11 Attacks and their Consequences in Yemen*

### **9.11: a Turning Point for the Freedom of Expression**

A journalist of the *Yemen Times* analysed the situation of his profession and its evolutions since the 9.11 attacks<sup>8</sup>. He asserted that this event has been a turning point in freedom of expression. In order to spare Yemen of being registered in the US list of “rogue states” and to save his country from political sanctions, President ‘Ali ‘Abdallah Sâlih immediately decided to integrate the camp of *Global War on Terror*<sup>9</sup>. This political position has been having strong consequences on the journalistic field and on freedom of expression. According to some accounts, several journalists received “advices” from officials not to write critical articles against the US foreign policy. In spite of the delicate context, the state still succeeded in taking advantage of the situation by applying in its own way the paradoxical US slogan: *Law and Order*, putting the emphasis on the second term and leaving aside the first one (Burgat, 2006, 12). Indeed, under pretext of order and *War against Terror*, power threatened and/or started proceedings against several journalists having criticised the pro-US Yemeni governmental policy and/or having crossed the red-line by any mean. But this policy has its other side of the coin. Though the United States prefers dealing with a strong Yemeni power able to control the country and to fight “terrorists”, and though they easily turn a blind eye on infringements of democracy, they still request from Yemeni government to make progress in the field of freedoms, especially freedom of the press and freedom of expression. In that way, power is doing a tightrope walker’s performance. On the one hand, it uses the word “order” to improve his power and to muzzle journalists, and on the other hand the word “law” requires him to enlarge respect of liberties. As the Western states and NGOs keep an eye on it, the second matter appears to him as a priority. That is the reason why the authorities have changed their strategy of repression of journalists and newspapers since 2001. Whereas before this year they were more inclined to resort to violence, now it seems they more and more prefer to make use of the legal way in order to prevent international criticisms. In this way, if harassment, threats and assaults against journalists seem to have increased<sup>10</sup>, authorities also have multiplied prosecutions against their opponents who are,

most of the time, charged with offences listed in article 103 of the Law for P&P. They especially avail themselves of the paragraph I which bounds media's professionals to abstain "to criticise the person of the head of state", specifying that "these provisions do not necessarily apply to constructive criticism". Besides it, we notice that journalists who have been prosecuted are those who wrote on the widespread corruption, who criticised the judiciary and Yemen's relations with friendly countries, who supported political reforms and who analysed Yemeni political situations (in North and South) (Article 19, 2008, 16). But when the appeal to article 103 would not be efficient enough, the regime would use the Penal Code in order to achieve its ends.

The route of 'Abdulkarîm al-Khaywânî, writer and former chief-editor of the weekly *al-Shûra*<sup>11</sup> is a representative example of how complicated can be relations between an opponent journalist and power, and how the first one tries to circumvent censorship and how the second reacts. His problems started in 2004 when he decided to investigate on four very sensitive files and to publish his results in his newspaper. Writing on state budget, politicians' corruption, President's land possessions and nepotism, he knowingly crossed the main red lines. Naturally, the President did not appreciate at all that al-Khaywânî entered into power backyards and revealed and explained how it works. Al-Khaywânî has been then prosecuted on a charge of defamation and, while his articles were well-documented and he was able to prove what he said, his weekly has still been shut and he has been sentenced to one year imprisonment; but six months later a presidential pardon released him. This decision can be explained by the fact that the President is beset between two policies. For the latter, this trial had two purposes: the sentence was destined to prove his power in front of the public on one side, as the pardon allowed him to show he was attentive to international discontentment caused by this condemnation on the other side.

By the way, it should be noticed that al-Khaywânî is far from being the only journalist suffering attacks from authorities. Indeed, since the second half of 2004 and using the pretext that they infringed the Law, they have suspended newspapers, arrested and/or prosecuted journalists, publishers, and editors, for the obvious reason that the red line had been crossed.

### **Toward a new Law for Press and Publications?**

In spring 2004, the arrest and conviction of journalist Sa'îd Thâbit Sa'îd led the President to decree a revision of the Law for P&P. He publicly and specifically demanded a removal of the clause allowing the imprisonment of journalists.

In fact, it seems that the project of the new Law for P&P has been launched under pressure of the international community which tried, by this way, to stress Yemeni authorities on the first term of the slogan *Law and Order*. It means letting freedom of expression grow in the country.

However and contrary to the hopes of the media community, the revision of the Law for P&P has never been completed. The first reason is the lack of organisation of government which has not appointed a clear responsible for the writing of the project. Indeed, more or less at the same time, each one of the ministry of Information and of the ministry of Justice prepared and submitted *their* project with a complete lack of coordination. When a unique text was finally accepted by government, all editorial staffs rejected it, arguing that they had not been consulted during its elaboration and that the new text was worst than the current one. Yemeni state tried several times to push media professionals to accept it, but they did not yield and continued to refuse it. To be stronger, journalists and Yemeni NGOs even mobilised their international relations network. Indeed, several international and national organisations (Article 19 notably) had caught everyone's attention in this matter. As a consequence, the President did not dare to impose it by force.

With the passing of time and according to these organisations and to many good Yemeni journalists, it seems that the real purpose of this project was more to legalize the present situation (*i.e.* restriction of freedom of the press and recognition of informal red lines) than to increase and improve freedom of journalism<sup>12</sup>. It is also highly likely that the state had taken advantage of the international pressure to convert this so-called liberal law into a law tailor-made for him. And yet,

the project was planning to remove imprisonment penalty and to confirm or to add several positive provisions (regarding freedom of practice of journalism, confidentiality of sources, guarantee that journalists shall not face any adverse consequences for their writings). But besides it, the draft contained a large number of provisions intending to regulate and to control the press and the freedom of expression (notably about what may be published, penal or also economic provisions) (Article 19, 2005, 3-4). During the past four years, it had been a chestnut which caused much ink to flow despite no (compromise) solution could be found. Finally, the United States closed the debate a few months ago. According to our sources, the project was definitely given up after the Americans threatened Yemeni state to stop their economic aid if the new law would be voted. In front of such a warning, one easily guesses that the law did not weigh a lot.

### **Yemeni political Trouble and its Consequences on Press**

While President was requesting a new Law for P&P, an internal political issue more or less linked with the *Global War on Terror* was getting started at the same moment. This problem would definitely imply strong consequences on journalists and freedom of expression. Thus, Yemeni army launched an attack against a former member of Parliament and his supporters leaving in Sa'ada, in the North of Yemen. This manoeuvre, which should have been quick and short, has all the same triggered off a civil war which lasted until August 2008. Power justified the war by accusing these persons to be rebels and terrorists trying to overthrow the Republic. But real reasons of the war are still obscure and two main explanations can be envisaged. First, the leader of the "rebellion" expressed, a short time before, several remarks about the bad policy of power. Secondly and thinking it would be an easy operation, it is highly likely that the state aimed to kill two birds with one stone: on the national level, getting rid of a dangerous political rival, and on the international level, including this conflict as part of *War against Terror*.

On the journalistic level, it has been having heavy consequences on freedom of expression. Besides the official propaganda, some journalists only tried to inform Yemeni people on what was really happening in the North. From power side, that was of course unacceptable as the war campaign happened to be much less successful than initially expected. As a consequence, it used all the palette of weapons at its disposal to force journalists to silence: pressures, physical aggressions, bans of printing, etc. But the most interesting for us here is how power used laws and adapted the legal system in conformity with its political needs. Indeed, in 2007, authorities have started prosecuting journalists under provisions of the Penal Code before the special Criminal Court on Terrorism or the Security Court (Article 19, 2008, 9).

For a state implicated in the war against "terror", the use of the word "terrorist" is very convenient in order to give legitimacy to its struggle against its political opponents. Nabîl Suba'y, Nâyf Hasan and Mahmûd Taha, respectively managing editor, chief editor and correspondent of the weekly *al-Shâra'* and 'Abdulkarîm al-Khaywânî from al-shoura.net wrote in 2007 several articles criticising the civil war, giving some details on the course of operations and/or denouncing exactions committed by militaries against civilians. These journalists have all been prosecuted but charges against the last one are particularly heavy<sup>13</sup>. He was accused of several charges: publishing information weakening the morale of the troops, taking sides with rebels, being one of their members, as well as spreading rebels' propaganda and more or less preparing terrorist attacks in Sanaa the capital. All these charges could have brought him to death penalty. Sentenced in June 2008 to six years' imprisonment, he was finally released on 26<sup>th</sup> of September 2008 thanks to a presidential amnesty while, at the same time, the mobilisation of the local and international associations of defence of the press was raising (Tréquant, 2007 and 2008). But according to several persons, the "game" between al-Khaywânî and power has ended. Both have used up their "soft munitions"; indeed al-Khaywânî would keep on doing his job (*i.e.* to inform and to explain), authorities would have no other option than to silence him definitively.

In this very tense situation, very few journalists make the painful choice of attacking power and its system by risking their freedom and life; all the same it is highly likely that their articles are not able to strongly impact the Yemeni political scene. If a great majority of journalists then compromise and practise self-censorship (Article 19, 2008, 12), others have found solutions to continue their work, notably by using the internet.

### *iii- Information on the Internet: Gap in the Law*

#### **The Internet, Press and Freedom of Expression**

The internet has been introduced in Yemen in 1996 *via* TeleYemen and Public Telecommunications Corporation companies. But we had to wait until around 2000 to see some Yemeni people starting to use the internet as a new tool of information.

Indeed at that time, the most important traditional newspapers, notably partisan newspapers, decided to create information websites for several reasons<sup>14</sup>. First, they firstly wanted to be present in this new space in order to keep their place in the public debate. For owners indeed<sup>15</sup>, creating and financing a newspaper is less a lucrative business than an ideological and political action. Though, in order to fulfil their duty of providing information, the launching of a website was the most suitable alternative, even if it does not pay. Secondly and as Yemeni printed media are very few distributed outside the country, the ownership of a website is a way to get new readership and to spread Yemeni news in the Arab world. It represents the best mean to avoid logistical problems related to the publishing of printed press; even though they would face several issues in the distribution process of their paper, news would come out anyway through their websites. It would be all the more easy that journalists writing for the paper and electronic versions are the same persons, meaning that the content of both mediums are similar.

For some opposition newspapers, the internet provides also another interest. For those regularly suspended by power, this tool turned into a way to bypass censorship and closures, and thus a way to keep on performing their informational work. The internet has thus become a “refuge-place” for opponents to the regime. Gradually some chief-editors even purely and simply decided to stop printing the paper version and to keep on providing the only electronic one. Once again, ‘Abdulkarīm al-Khaywānī’s case perfectly illustrates both scenarios. Threatened, aggressed, judged and imprisoned several times, he decided in 2006 to create a website ([www.al-shoura.net](http://www.al-shoura.net)) in order to be able to publish his articles after power had suspended his paper. But he is not the only one in this situation; Nabīl al-Sūfī has also launched his website for the same reasons ([www.newsyemen.net](http://www.newsyemen.net)), and other examples are numerous.

For several other journalists, creating a website is much easier than launching a printed newspaper which requires a licence granted by the ministry of Information. This licence must also be renewed yearly and can easily be withdrawn by power if it feels offended by its content. Building webzine offers two main advantages: it does not request any administrative formalities on one side, and journalists and owners do not suffer the threat of a Sword of Damocles on the other side.

Besides these experienced journalists coming from printed press, some Yemeni people whose professional background is not linked to media decided to build their own information site<sup>16</sup>. This very interesting process led to the creation of a new form of media, and Yemen has thus been witnessing the rise of a new kind of journalism performed by people who are not formatted like media professionals and who are not subjected to the same constraints. That is why they can touch on unknown or forbidden subjects in printed media. The more successful one is *Marebpress.net*, a webzine set up by Muhammad al-Sâlihī in 2006 and which became at its very beginning the first Yemeni webzine consulted in Yemen<sup>17</sup>. It should be noticed that at least one webzine is Nowadays available in every governorate<sup>18</sup>.

### **Yemeni authorities and electronic press**

The birth of the Yemeni electronic press has been facilitated by two factors. First of all and until now, there is no legislation regulating the information on the internet. Indeed if the Law for P&P rules the traditional press and journalists working in it, websites and e-journalists are not subjected to it. While a person must have the ministry of Information's permission to launch a new paper, any persons may launch a webzine without any official approval. Furthermore, an individual writing articles on the web is not legally considered as journalist. The second factor is that the regime had not become aware of the possible impact of this tool on the information field, probably because cybernauts were very few at the beginning and still are. Though, it gradually realised the oppositional potential of the electronic speech. As a result, authorities have been reacting against these so-called rebels "journalists" since around 2006.

As the ministry of Information has no right to intervene legally, the ministry of Telecommunications is the only one being able to control websites. But because of the gap in the law, its minister's position is as weak as the one of his colleague. The only thing he can do is thus to filter the content of websites by controlling the internet service providers before or during sensitive political or security events, trying at the end to justify the censorship in a more or less legal way.

During the presidential elections of September 2006, the opponents' electronic media have been particularly censored. For instance *Nasypress*, a website belonging to the Islamist opposition which was especially aggressive against the candidate-President, was filtered. The ministry declared that "by its exaggerations, this webzine was not a good example for freedom of press". It seems that providing information on the civil war was neither considered as "a good example". We have seen above what happened to al-Khaywânî, but the websites which supported the "rebellion" and published photos and movies of battles in the North, showing thus several massacres and detailing what was really happening, have also been censored, apparently in the name of the national security... But shutting websites is the last level in the repressing process. Once a journalist gets too close to the red-line, the regime does not hesitate, as a first step, to appeal to political security which then resorts to its old traditional methods of intimidation. That happened for example with *Marebepress.net* in 2007.

### **Conclusion**

Thus until now, even if the state is still trying to increase its control over the independent and opponent written press, it has not yet succeeded in silencing it completely. On their side, journalists stay on their guard knowing that power will not abandon its aim of controlling the oppositional speech. He certainly had to draw back the delicate question of the new law for press and publications. Regarding the internet, its appearance in Yemen and its use as an information tool by some journalists and citizens, the state has been facing the emergence of an uncontrollable and free opinion. Until now, even if the regime does not hesitate to censure information websites, it seems it has not been able yet to adopt a clear and efficient strategy in order to control its content. However, according to our sources, power is thinking about a new plan. Concerning the first issue, it would be writing a new law which would notably forbid any criticism against the President. If this information turns out to be true, it means authorities have chosen the "best way" to forestall and maybe to prevent objections of international organisations. Indeed, as this law would concern all Yemeni people, it means journalists would not be officially and directly targeted. The persons we interviewed are all very worried about this new project and are still hanging on what will be decided soon. Regarding the second issue, some also suspect Yemeni government to prepare a specific law so as to control information provided on the net, which represents the only space allowing a real freedom of expression. Nevertheless, the e-journalists or more generally cybernauts think the regime has not been able to set it up yet<sup>19</sup>.



But the stake is primordial for the state: if it would fail in imposing these new laws, it would progressively lose control of the written media and thus of the public speech. In such a disturbed political and social context (growing discontents in the South, a recently ended civil war in the North, dramatic increase of prices, etc.), oppositions are numerous. For the moment, these voices are still unable to make themselves hear and to influence the public debate through written media; but if media professionals would succeed in mobilising and thus in pushing government to abandon its projects, it would strongly jeopardize the political future of the regime and of the President himself in the end.

In this context and despite the uncertain future of the profession, several journalists continue to “play cat and mouse with” power. In the printed press, but above all in the electronic media, they keep on carefully crossing the red line by writing on some forbidden subjects, testing by this way limits, reactions and tolerance of the regime.

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<sup>1</sup> For a more complete list of these cases, please refer to the rubric “Yemen” of [www.arabpressnetwork.org](http://www.arabpressnetwork.org), [www.article19.org](http://www.article19.org), [www.ifex.org](http://www.ifex.org) or [www.rsf.org](http://www.rsf.org).

<sup>2</sup> Most of the information contained in this article have been collected during interviews with journalists or politicians within the context of my research of Ph. D. As precaution measures, I do not provide their names here.

<sup>3</sup> See Article 19, 2008, 6-9 to have a good idea of the legal framework dealing with journalism and freedom of the press.

<sup>4</sup> In the 1991 version, it was written in the article 26 (“the State shall guarantee freedom of thought and expression by speech, writing or pictures within the law”).

<sup>5</sup> Respectively article 103, e, h, g and i.

<sup>6</sup> Ratified in 1987 by North Yemen, it has been adopted by the Arab Republic of Yemen after the reunification of 1990.

<sup>7</sup> For a good study of the Yemeni press in the 1990’s, see Al-Mu’id, 1999.

<sup>8</sup> *Yemen times*, February 2006. Article 19 analyses the situation in the same way, cf. Article 19, 2008, 10.

<sup>9</sup> In 1991, the Yemen had criticised the war against Iraq. The United States had “punished” the Yemeni position by putting him in the list of “rogue states” and Yemen has suffered political and economical sanctions during several years. The Saudi Arabia took advantage of the situation by expelling about one and a half million of Yemeni immigrants from the Kingdom.

<sup>10</sup> It is quite difficult to know if they have really increased or not since 2001. According to several international organisations (RSF, IFEX, etc.), it seems to be the case. Since a few years, these NGOs have been working in close cooperation with several Yemeni organisations for the defence of freedom of the press and expression (The Yemen Female Media Forum, Women Journalists without Chains, etc.). These latter well understand they have to communicate on the international level in order to catch the attention of those who are able to protect journalists. Indeed in their mind, if a journalist is known by some international NGOs, he would face fewer problems with the Yemeni authorities. It might be the reason why they write too alarmist reports repeated by the NGOs who do not really check their content. Furthermore these Yemeni and international NGOs assert that the situation in Yemen is worst and worst but with a short background and no really evidences. However, several Yemeni journalists, who have been working since more than ten years, pretend the situation is neither worst nor better, the only change being the subjects of forbidden criticism. But if things would really go wrong, it would probably be linked with the shrinking of the political field in general.

<sup>11</sup> Newspaper of the zaydi party, the *Federation of Popular Forces*.

<sup>12</sup> See Article 19, 2005 where both initial projects are analysed.

<sup>13</sup> The three others are still waiting their trial.

<sup>14</sup> We can notably mention: [www.26september.info](http://www.26september.info), [www.althawranews.net](http://www.althawranews.net), [www.y.net.ye/al-gumhuryah](http://www.y.net.ye/al-gumhuryah), (official websites), [www.alsahwa.ye.net](http://www.alsahwa.ye.net), [www.nasspress.com](http://www.nasspress.com), (partisan websites), [www.alayyam](http://www.alayyam), [www.yementimes.com](http://www.yementimes.com), (independent websites).

<sup>15</sup> There are different kinds of owners: the State, political parties, families or individual journalists.

<sup>16</sup> For more information see Chevalier, 2007.

<sup>17</sup> On 27<sup>th</sup> of October 2008, it was ranked 23<sup>rd</sup> on Alexa (figures available on [www.alexa.com](http://www.alexa.com)).

<sup>18</sup> We can quote [www.newsyemen.net](http://www.newsyemen.net), [www.yamenhurr.net](http://www.yamenhurr.net), [www.hnto.net](http://www.hnto.net), [www.hdrmut.com](http://www.hdrmut.com), [www.al-teef.com](http://www.al-teef.com), [www.al-yemen.org](http://www.al-yemen.org), [www.adenpress.com](http://www.adenpress.com) or [www.soutalgnoub.com](http://www.soutalgnoub.com).

<sup>19</sup> If the project of a new law for P&P had been adopted, the electronic press would have been included in the paragraph concerning “bans of publishing and penal sanctions”.