



# General Assembly

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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Al Baraem Association for Charitable Work, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2023]

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\* Issued as received, in the language of submission only.



## **Yemen, Iraq: Continuing Restrictions On The Press**

With the continuing restrictions imposed on the press from a legal, social and political standpoint, and the continuous negative effects of the Covid-19 pandemic, in addition to the absence of political and economic stability and the decline in the freedom index in the Middle East, media work began to be stripped of its basic essence in transmitting information with transparency and credibility, and the journalist became the victim of disputes between all parties of the society, whether politically, socially, or even economically, and ends up either with death, imprisonment, disappearance, arrest, or exile, and is sentenced to vague laws, most of which are charged with defamation.

Journalists are killed while reporting. Female journalists are subjected to online assaults, including death threats and rape. Electronic surveillance seeks to intimidate and silence investigative journalism.

The development of technology and the media has not benefited from liberating the journalist from the restrictions of laws and regulations that limit his work and make it the most difficult and challenging profession. Journalists often face criticism, illegal arrests, and countless violations, including what amounts to premeditated murder.

### **Violations of press freedoms in Yemen:**

Journalists in Yemen live in very difficult human rights and psychological conditions as a result of the violations committed by the parties to the conflict against them over the nearly nine years of war. Yemen has become one of the worst places in the world in terms of press freedoms, as dozens of journalists have been killed since the start of the war, while hundreds have lost their jobs. Journalists are still suffering from working in an environment that lacks media freedoms.

Violations against journalists expanded to direct killing, torture, arrest and closure of media institutions, which was reflected in the work of journalists and their handling of news topics.

The Journalist Support Committee documented 65 violations against press freedoms in Yemen during the year 2022: two cases of killing and one injury, 9 cases of arrest, 16 cases of assault, 10 cases of threats, 8 cases of detention, 8 cases of summoning and trial of journalists for their journalistic writings and one case of account breach. Facebook.

54 cases of violations against journalists and 11 cases of violations against media institutions in Yemen. The most prominent violations were the brutal killing of journalists Fawaz Al-Wafi and Saber Al-Haidari:

- Photojournalist Fawaz Al-Wafi was stabbed to death, as he was found a dead body inside his car in Wadi Al-Qadi area in the northern side of Taiz city, on March 23rd.
- Reporter Saber Al-Haidari was killed by an explosive device planted in his car in Aden on June 15th.

In addition, the Specialized Criminal Court for terrorism cases in Aden continued to postpone the trial of journalist Ahmed Maher without giving any legal grounds, who was arrested on August 6, 2022, to Bir Ahmed prison of the Transitional Council, which international human rights reports described as an arbitrary detention center that practices horrific violations against detainees. Ahmed had been forced to confess to crimes he did not commit.

As for economic and professional rights: Yemeni journalists suffer from the reality of professional violations in terms of wages, work contracts, and denial of employment for political reasons. The fragility of press and media institutions, the absence of laws and legislation that guarantee the rights of journalists, and the weakness of the trade union role. This made businessmen and politicians take advantage of the deteriorating economic situation and deteriorating living conditions to buy off journalists and attack media platforms. In this regard, funding resources are limited to media outlets loyal to the ruling authorities, businessmen, religious symbols, or political figures.

On the legal level, journalists work in a very complex legal environment, which is the main reason for violating journalists' right to a fair trial, exposing them to all forms of detention and arrest, and treating them on political rather than legal grounds, which deprives journalism of its impartial and transparent concept in reporting events. In addition, the absence of an incubating and supportive environment for journalistic work makes the challenge more difficult for a free press.

### **Violations of press freedoms in Iraq:**

The media scene in Iraq is not in the best condition, as the authorities, influential parties, and extremist groups restrict press freedoms and expression of opinion, and strive to silence journalists and deter them from researching many issues such as corruption and misuse of state resources, as well as the absence of opponents, coverage of popular protests, and other important issues for the Iraqi people.

The Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) indicated in a press statement on the International Day to End Impunity that Iraqi laws relating to defamation and restriction were used against journalists and activists who publicly criticized public figures, in contravention of freedom of expression stipulated in the constitution. Iraqi Media programs in both federal Iraq and the Kurdistan region were suspended after they were broadcast because they were deemed critical of the authorities. Journalists across the country have been harassed or harassed by security forces while covering demonstrations or other events, and in some cases have been beaten and arrested. Journalists were threatened or intimidated by non-state actors, and a number of media outlets were subjected to politically motivated attacks.

Public figures often resort to the courts to pursue journalists investigating their activities, usually for defamation. In addition, the draft law on cybercrime provides for prison sentences (may reach life imprisonment) for online publications that affect the country's independence, unity, and safety, or its economic, political, military, or supreme security interests. Article 226 of the Penal Code remains the specter that pursues journalists, and arrest warrants are often issued against journalists and politicians. This article states: "Anyone who publicly insults the National Assembly, the government, the courts, the armed forces, or other statutory bodies, public authorities, or official or semi-official departments or departments, shall be punished with imprisonment for a period not exceeding seven years, imprisonment, or a fine."

In its 2022 report, the Journalist Support Committee documented more than 200 violations against journalists and media institutions across Iraq: 67 against journalists and media institutions in the Kurdistan Region, where 23 journalists were arrested in Sulaymaniyah, Dohuk, Erbil, Kalar, and other areas in the region, and 23 equipment was seized, in addition to preventing many journalists from covering the demonstrations. In Sulaymaniyah, 16 violations were recorded, 7 violations were recorded in Dohuk, 2 violations were recorded in Zakho, 34 violations were recorded in Baghdad, and 24 violations against journalists were documented in Basra, 7 violations in the holy Karbala, 16 violations in Mosul, and 14 violations in Najaf governorate, while in Kirkuk, 16 violations were recorded. Documentation of 22 violations and in the province of Babil 6 violations.

In 2023, the Journalist Support Committee documented the beating by the security forces on the outskirts of the Basra International Stadium on Zoom News correspondent Rukan Jaf, Zoom News photographer Karzan Kak Rah Sh, Abura News correspondent Nihad Hassan, and BasNews correspondent Ahmed Abdullah, in addition to Grab their press equipment.

In addition to the arrest of the journalist, Soma Khaled, and her detention for five days, based on a complaint submitted by the official Shar Hospital in Sulaymaniyah Governorate, regarding a report she wrote about the conditions of the hospital on social media.

In addition, the Journalist Support Committee mentioned in its report the problems faced by women journalists in Iraq while practicing their journalistic work. The most prominent violations against them are: inequality in salaries with male journalists, verbal and physical

violence, sexual harassment, marginalization and exclusion, and discrimination against veiled journalists.

### **Conclusion and recommendations:**

Al-Baraem Association for Charitable Work and the Journalist Support Committee express their strong condemnation of the intimidation and threats to journalists in Yemen and Iraq, warning of the seriousness of the continuing violations committed against them and the decline in the index of freedoms in the Arab countries, in addition to the imposition of laws and legislations that restrict journalistic work. And we demand:

- Work to ensure the safety and security of journalists.
- Repeal all laws and legislation that restrict journalistic work and that violate international conventions that call for respect for freedom of opinion and expression, and educate the security, executive and even judicial authorities on the importance of journalism.
- The immediate release of all journalists in prison.
- Conducting an international investigation on the human rights violations and crimes that journalists are exposed to during their work.
- Legal justice, an end to impunity and ensuring that victims have access to appropriate remedies.

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Journalist Support Committee (JSC), NGO(s) without consultative status, also share the views expressed in this statement.