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Yemen: ARTICLE 19 Calls on Yemeni Government to Improve its Draft Information Law

Today, ARTICLE 19 released a Memorandum analysing the Yemeni government's draft Information Law. Whilst welcoming the draft Law as a positive step towards protecting the right of access to information, the Memorandum highlights a number of significant shortfalls of the draft Law.

In particular, the Memorandum emphasises that the draft Law currently protects only the rights of Yemeni citizens to access information. It does not protect the right of access to information for all.

The draft Law also sets out a very broad range of exceptions, and excludes outright certain types or categories of information. It also provides very limited possibilities for appealing a decision not to release information and accords a high degree of discretion to the bodies covered by the draft Law.

ARTICLE 19 finds it especially troubling that the draft Law accords such significant power to the National Centre for Information, apparently established as both the hub and depository of a national system to control information, and the regulator for the means and mechanisms for storing information at bodies covered by the scope of the law.

Finally, the draft Law provides for a series of very broadly defined offences and severe penalties in connection with violations of the draft Law.

ARTICLE 19 suggests a number of recommendations for the draft Law, including that all persons in Yemen should enjoy the right of access to information. Further, the draft Law should cover all bodies undertaking public functions; an independent and autonomous oversight body (such as an Information Commissioner) should be established; and a list of exceptions should be set out in precise and narrowly drawn terms.

ARTICLE 19 presented these recommendations at a workshop for Yemeni parliamentarians and journalists which was held in Sana'a on 5-8 May 2009. As part of the organisation's ongoing engagement in Yemen, ARTICLE 19 will continue to work with stakeholders to achieve legal reform.

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- To view the Memorandum, go to: <http://www.article19.org/pdfs/analysis/yemen-memorandum-on-freedom-of-information-draft-law.pdf>
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.