



AL-RAQAS NEIGHBOURHOOD MASSACRE

Targeting the Media

Designed By: 

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Table of Contents

• Overview	4
• Methodology	5
• A. The legal framework of the report	5
1- International Humanitarian Law	
2- UN Security Council Resolutions	
• B. Details regarding the targeting of the house of the head of the Yemeni Media Union, Abdullah Sabry, and his family	8
• The testimony of the Yemeni Media Union's president	11
• C. Targeting Yemen's Ministry of Information building	12
• D. The United Nations position on the attacks	13
• E. The war's victims of the Yemeni media	13
• Conclusion	15
• Recommendations	16

Overview

Military operations launched in March 2015 against Yemen by the Saudi-led coalition are still ongoing. As such, attacks targeting groups protected under international humanitarian law are continuing and resulting in the deaths of thousands of civilians. That's according to data collected by numerous international and local organizations that are monitoring the human rights situation in Yemen.

In recent years, all groups protected under international humanitarian law were vulnerable to attacks by the coalition. Journalists and media institutions were one of the groups most affected by these attacks. Numerous violations and abuses were committed against them, most of which amount to the most serious breaches of international law, requiring that the perpetrators be held accountable.

The targeting of the house of Abdullah Sabry, President of the Yemeni Media Union in mid-May 2019, was one of the most brutal crimes. The attack left behind nearly 70 civilian casualties, including Sabry himself who was seriously injured and lost two of his children as well as his mother.

At the time of writing the report, data collected about the victims of attacks targeting the media sector, including individuals and institutions, shows that a total of 43 incidents were recorded, resulting in the deaths of 290 journalists and the wounding of 22 others.

In addition, 23 facilities and media institutions as well as 30 radio and television broadcast centers were bombed and destroyed.

Despite all these crimes and violations being openly and continuously committed by Saudi Arabia and its coalition, the United Nations and its agencies remain reluctant to take any action that could stop them and move towards holding the perpetrators of these crimes accountable. This should start with the formation of an independent international committee to investigate all crimes and violations, including those committed against the media sector and the individuals working within that sector.

Methodology

The report provides a summary of the crimes committed by the Saudi-led coalition against media professionals in Yemen as well as a broader explanation of what the media sector was exposed between March 2015 and November 2020. The report includes details on the targeting the head of the Yemeni Media Union, which serves as a model for these types of crimes and are based on the following:

- The legal framework for the protection provided by international humanitarian law to press and media work facilities and their employees designates them one of the groups protected during armed conflict
- Describing the crime of targeting the home of the head of the Yemeni Media Union and pointing out the number of civilian casualties;
- The testimony of the head of the Yemeni Media Union, Abdullah Sabry, in addition to the targeting of the Ministry of Information that took place on the same day;
- Documented information regarding violations and crimes against the media sector and its workers between 2015 and the time of writing the report, as one of the breaches of international conventions and norms and a violation of the right to freedom of opinion and expression;

A. The legal framework of the report

In addition to national laws observed by states as well as bilateral and regional agreements regulating international relations during armed conflict, a set of international humanitarian law charters represent the legal framework that provides protection for all civilians as those who do not participate in hostilities. Accordingly, the protection system includes journalists, their personal property, and those through which they carry out their journalistic duties, including facilities, cars, cameras, and other resources. This protection includes all workers in the media profession,

including the media and media crews accompanying the armed forces to cover confrontations in the field. On the other hand, relevant UN Security Council resolutions constitute one of the documents of international law to strengthen the protection of the press and journalists during armed conflict.

1- International Humanitarian Law

The regulations for the laws of war annexed to the Hague Conventions of 1899 and 1907 (Article 13) included references to the protection of journalists and how to deal with prisoners who are members of the press, as well as the Geneva Convention of 1929 regarding the treatment of prisoners of war, which stipulated in Article (81) the protection of correspondents, newspaper reporters, sutlers, or contractors, who fall into the hands of the enemy, and whom the latter think fit to detain, shall be entitled to be treated as prisoners of war, provided they are in possession of an authorization from the military authorities of the armed forces which they were following.

With the development of international humanitarian law, specifically upon the adoption of the 1977 Additional Protocols annexed to the four Geneva Conventions of 1949, where Article 79 of the First Protocol affirms that journalists engaged in dangerous professional missions in areas of armed conflict must be considered as civilians and protected as such, provided that they take no action adversely affecting their status as civilians. Media equipment constitute civilian objects, and in this respect enjoy general protection. Thus, the parties to the conflict have the double obligation stipulated in Article (48) of Protocol I, meaning that there is always a distinction between civilian objects and military targets, as the media remain prohibited targets. It is prohibited to exploit them to incite serious violations of international humanitarian law. In an International Committee of the Red Cross

study on customary rules of international human law, Rule 34 of Chapter X stipulates that **“civilian journalists engaged in dangerous professional missions in areas of armed conflict must be respected and protected, provided that they take no direct part in hostilities.”**

2 – UN Security Council Resolutions

UN Security Council Resolution 1738:

1- Condemns intentional attacks against journalists, media professionals, and associated personnel, as such, in situations of armed conflict, and calls upon all parties to put an end to such practices;

2- Recalls in this regard that journalists, media professional, and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such;

3- Considers freelance journalists and reporters to be civilians and shall be protected as such;

4- Recalls also that media equipment and installations constitute civilian objects, and in this respect shall not be the object of attack or of reprisals;

Despite the full protection provided by international conventions for all media workers in conflict zones, including journalists accredited to accompany the armed forces and who cover events in conflict areas, we find that the acts of confrontation against journalists in various areas of armed conflict continue to increase, which may lead to two main factors:

1- Impunity: That is, the targeting of journalists while practicing their work in conflict zones without regard for international laws that guarantee their protection is an attempt to evade other punishments resulting from the press exposing violations committed by the conflicting

attempt to control what is presented by journalists, including news, photos, and videos that reveal violations of international law.

2- Incompetence of media institutions: These institutions do not take the necessary precautionary measures when assigning one of their journalists to cover incidents of violence or armed conflict, by communicating with the concerned authorities in the conflict zone and coordinating with them regarding the conditions of their correspondents, in addition to not making the appropriate effort to free their detained journalists.

B. The targeting the house of the head of the Yemeni Media Union, Abdullah Sabry, and his family

The targeting of the home of the President of the Yemeni Media Union, Abdullah Sabry, constitutes one of the deadliest attacks on civilians in general and on workers in the media sector in particular.

At eight o'clock in the morning on Thursday, May 16, 2019, Saudi-led coalition aircraft carried out a number of airstrikes that targeted the building of the Yemeni Ministry of Information with a raid directly targeting Sabry's apartment in one of the residential buildings located in Hael Street in Al-Raqas neighborhood in the center of the Yemeni capital Sana'a. This is one of the city's most densely populated residential and commercial neighborhoods. According to a forensic technical report issued by Yemen's Ministry of Interior regarding the incident, the heart of the explosion took place in one of the rooms in Sabry's house.

Sabry lost two of his children, Louay (18) and Hassan (16), and his 60-year-old mother, who succumbed to her injuries on May 30, 2019. Sabry survived that tragic day and sustained wounds and fractures to his legs that were pierced by shrapnel. His eldest son, Baligh (20), was wounded in the head, and his father was injured in the chest.

Sabry's family was not the only victim of that crime. Children of families living near Sabry's house were also killed.

29 buildings and residential houses were completely or partially damaged, while windows were shattered. As a result of that attack, seven people were killed and nearly 70 civilians were injured, including 27 children and 16 women. Most of the injuries were serious, as the explosion sprayed shrapnel into the bodies of the victims, leaving many of them permanently disfigured.

Describing the condition of the wounded that day, one of the doctors said, **"We admitted a large number of [wounded] into the operating room ... and the remaining cases waited in the ER."** In the vicinity of the attack, the Muadh Bin Jabal School, Nusseibeh Bint Kaab School, and Al-Razi Higher Institute for Health Sciences were damaged, and more than 25 private cars that were parked in the neighborhood were destroyed.

The Russian Embassy in Yemen issued a statement stating that two Russian citizens, Shams Al-Nuaimi and her daughter Layan, were slightly injured due to the shattered glass of their house, which is located in the vicinity of the targeted neighborhood.

At the end of August 2020, GIDHR's official in charge of the Yemen file accompanied a team from the Yemeni Center for Human Rights that visited a number of families in the capital Sana'a who were victims of that crime. He examined the damage and the amount of suffering and pain caused by the attack as well as the extensive psychological impact on the survivors, particularly children. After concluding his visit, he reported the following:

1-Al-Hubaishi Family: Ahmed Al-Hubaishi's testimony was documented. His house was completely destroyed, and four of his children Siham (16), Wasim (13), Abdul Rahman (12), and Khaled (6) were killed. Only one of his sons, who suffers from a physical disability, survived that day. But the psychological impact was extensive. His wife is still suffering from a severe spinal injury and has not been able to overcome what befell her children. This in addition to the painful humanitarian situation that they are forced to endure after losing their home and livelihood.



"I have nothing left after losing my children except heart-break, pain, and anger. Can anyone bring my children back to me?!" Al-Hubaishi said. "My daughter was waiting to finish high school, but she left before making me proud of her academic excellence. They killed my daughter and my sons. Their only sin is that they are Yemeni children."

2 – Al-Maasar Family: This is another one of the families whose members were interviewed. They lost their five-story house during the attack, leaving them in a tragic humanitarian condition. Their children panic and get frightened as soon as they hear the sound of planes flying overhead. According to family members, their children suffer from anxiety, fear, constant anger, and sleep disorders.

3 – Al-Bahri Family and its seven children: The Al-Bahri family is one of the families that was severely affected by this crime. The family is gripped by a desperate humanitarian situation, unable to provide the most basic necessities and with no access to basic services. The children in the family suffer from many psychological problems, including a 14-year-old who has not been able to speak normally since the attack. He was clearly stuttering and had a great deal of difficulty with his speech. Among the young victims are girls aged 10-12 years old, who suffer from a constant sense of anxiety and terror. Their health condition is unstable, especially after their father died of successive illnesses, which he suffered from for months after the bombing of their house. Now, the girls are being cared for by their grandmother, from the father's side. She is an elderly woman who injured her legs when she fell from the window of the house during the bombing. Doctors have been unable to treat her until now.

The testimony of the Yemeni Media Union's president

In a special interview with the Gulf Institute for Democracy and

Human Rights, Mr. Abdullah Sabry, head of the Yemeni Media Union, spoke about the targeting of his home in detail. The following is his summary of what happened:

"On the morning of the unfortunate incident, I woke up lying on the ground, unable to move because of the terrible pain in my left foot which was fractured several times. The destruction around me was massive. I was living a nightmare or experiencing real hell. I looked in front of me, and my son Louay was also lying on the ground and not moving, he was dead."

He added, "I was screaming loudly from the pain and from the horror of what happened. My eldest son, Baligh, approached me. He narrowly escaped and tried to help me. I heard my wife mourning my mother and asking about my second son, Hassan, who was missing at the time."

"Paramedics rushed and took us to nearby hospitals, and at the end of the day, it became clear that my son Hassan was dead. A few days later, my second son, Louay, passed away. Then my dear mother, followed him. During this time, I underwent three surgeries for my left leg, and when the doctors discharged me from the hospital, I wondered where I was heading. Almost everything was gone, including the house furniture," Sabry said.

"Later on, I learned that the targeting was deliberate, especially since the raid that preceded the targeting of my house struck the Ministry of Information in anearby neighboring."

"The killers did not care about human rights, the sanctity of the press and the media, not even the sanctity of the holy month. When they targeted us, people were fasting and sleeping."

He explained that the perpetrators behind the attack know that they aren't being held accountable for their crimes in Yemen, as they went too far in these

violations. Those being targeted were media professionals who witnessed their crimes and demanded an investigation into these crimes, and the attackers wanted to silence their voices.

He concluded by saying, "I hope that this crime will not go unpunished and that it will gain the attention of international organizations concerned with freedom of opinion and expression and human rights, including the Gulf Institute for Democracy and Human Rights."

GIDHR also documented the testimony of Baligh (20), one of Sabry's sons, who was injured in the attack. He said, "the features of the apartment completely disappeared. There were no walls, no ceiling, nothing. I saw my father directly in front of me, his leg was broken and he was in pain. My grandmother was on the other side. My brother was in shock and was not speaking. I heard my mother say, 'come and see if your brother is going to live. We couldn't find your other brother.' My father was in front of me and was breathing, so I went to see my other brother. I examined him and found a pulse. I tried to give him first aid, but I could not. I went back to my father and tied his leg. Then, I went to get some people to help my father."

C. Targeting Yemen's Ministry of Information building

On the same day, on May 16, 2019, coinciding with the targeting of the head of the Yemeni Media Union, coalition fighter jets targeted the Ministry of Information in the Al-Nahda neighborhood in the capital Sana'a, with two strikes that destroyed large parts of the recently constructed building.

According to observers, the strikes were not coincidental. The coalition carried out these attacks simultaneously to target the Ministry of Information and the home of the President of the Media Union. This was interpreted as

a message confirming the deliberate targeting of Yemeni journalists and media institutions with the aim of silencing independent media voices, marginalizing the Yemeni people's voice abroad, and covering up the crimes and violations against Yemenis.

D. The position of the United Nations on the attacks

The United Nations Resident Coordinator and Humanitarian Coordinator in Yemen, Lise Grande, addressed the attacks in a statement: **"We share grief with the families of the victims and are shocked that this tragedy has occurred, as more victims have been reported, including health workers."**

She pointed out that this horrific incident is a tragic reminder of all the reasons for which this war must stop.

"International humanitarian law is clear. Everything must be done to protect civilians. This is not optional. This is a legal obligation and above all a moral obligation on all parties," Grande said.

E. The war's victims of the Yemeni media

Attacks targeting Yemeni civilians and their possessions are ongoing as a result of continuing military operations by the Saudi-led coalition. The media sector and workers in its various institutions were the target of a large number of those attacks, which resulted in dozens of casualties and the destruction of many of the sector's resources and facilities. In addition, repercussions caused by the continuation of the comprehensive siege imposed on Yemen, include:

- Media professionals are enduring a very painful humanitarian situation; deprived of their salaries, and many have lost appropriate job opportunities to be able to provide the basic needs for their families.

- Media professionals are one of the groups that need to travel to and from Yemen. But due to the continued closure of the Sana'a International Airport, they are unable to travel abroad. Many of them complain about the dangers of the continued travel ban on media professionals and their inability to take part in international conferences and forums where the aggressors have the opportunity to present a false narrative about the effects of the war on Yemen and the blockade that Saudi Arabia and its alliance continue to impose.
- Dozens of journalists, media professionals, and freedom of opinion and expression activists have been arbitrarily arrested and forcibly disappeared in secret prisons established by the UAE, which is one of the members of the Saudi coalition and administers the affairs of Yemen's southern governorates.
- The continued targeting of media institutions, the telecommunications sector, and the Internet is causing great difficulties for media professionals and local media outlets as they try to carry out their tasks in conveying the truth and quickly covering events and developments.

Table displays number of victims, damage to the media sector, violations committed against media professionals, and the suppression of freedoms (March 2015 – November 2020)

Victims from local channels		Victims from media crews accompanying armed forces		Destruction of media facilities	Targeting broadcast and transmission towers	Cloning of websites	Stopping broadcasting of satellite channels	Blocking and jamming channels	Hacking websites	Preventing international journalists from entering Yemen	Official newspapers banned from publication	Social Media
Dead	Wounded	Dead	Wounded									
45	25	290		23	30 towers	6 Sites	8 channels	7 channels	3 websites	143 cases	2 cases	Dozens of accounts suspended on various social media platforms

Conclusion

The crime of targeting the home of the head of the Yemeni Media Union is considered a model for a series of actions and practices committed by the Saudi-led coalition, which affected all protected groups and objects during armed conflicts in accordance with international humanitarian law charters.

Nearly six years after the start of the Saudi-led coalition's war in Yemen, dozens of bloody crimes have been documented, many of which may amount to war crimes and crimes against humanity. Their implications express the magnitude of the human tragedy and the amount of pain caused by that war in which civilians – men, women, and children – are paying the price with their blood and daily suffering. It is impossible to describe due to the international community's inability to take a serious stance to stop these actions, provide relief to the Yemenis and rescue them from this catastrophic situation, work to fulfill the roles and responsibilities that ensure the rights of the victims, and hold the perpetrators of these crimes accountable.

The Gulf Institute for Democracy and Human Rights reaffirms its commitment to monitoring the human rights situation in the Gulf and Yemen. It hopes, through this report, to contribute to mobilizing and advocating freedom of the press and media and to reinforce all efforts of the international community to stop all forms of crimes and violations that Yemen is witnessing. The institute also hopes that the report will constitute a source that can be taken into account when the international judiciary looks into the targeting of the house of the head of the Yemeni Media Union specifically and the targeting of journalists and the property of the private and public media sector, given that these acts may fall under the "framework of war crimes" according to the international humanitarian law charters.

- Establish an independent and impartial international investigation committee to investigate this crime and other crimes;
- Refer the perpetrators of the crime and everyone who participated in it and supported it to trial and hold them accountable;
- Stop the war on Yemen and lift the land, sea, and air blockade;
- Media professionals in the world should show solidarity with Yemeni journalist Abdullah Sabry and other media professionals targeted in Yemen;
- Provide adequate compensation to the victims of the crime and anyone materially or morally harmed by it;

Recommendations

- Fully comply with the relevant provisions and texts contained in international humanitarian law, not to target journalists, media professionals and civilians;
- Allow all foreign journalists to enter Yemeni territories in order to convey to the world the reality of what is happening;



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