



2015 Report on International Religious Freedom - Yemen

Executive Summary

The constitution declares Islam to be the state religion and sharia the source of all legislation. It provides for freedom of thought and expression “within the limits of the law,” but omits mention of freedom of religion. The law prohibits denunciation of Islam, conversion from Islam to another religion, and proselytizing directed at Muslims. Conflict escalated between the government and the Houthi-led Ansar Allah, a Zaydi Shia movement allied with elements loyal to former president Ali Abdullah Saleh, which expanded from its base in the northwest to establish control over large portions of the country, including Sana’a. The government went into exile in March, leaving it unable to exercise effective control over religious affairs inside the country. Attacks by terrorist groups such as al-Qaida in the Arabian Peninsula (AQAP) included bombings of Zaydi mosques, which resulted in deaths and injuries to worshippers. No information was available on whether a Bahai previously taken into custody by the government for apostasy, proselytizing, and allegedly spying for Israel, remained in prison following the rebel takeover of Sana’a. Prior to the outbreak of military conflict in March, Roman Catholic, Protestant, and Ethiopian Orthodox Christian religious services continued to take place without government interference.

Zaydi and Sunni religious leaders continued to use charges of apostasy to target opponents. Jewish leaders reported continued social harassment of their community in Amran, including coercion to convert to Islam.

The U.S. Ambassador met with officials of the government-in-exile to discuss the challenges minority religious communities faced, including scrutiny by Houthis, displacement from homes and businesses, and targeting by violent extremist groups. He also met with representatives of religious minorities to discuss those challenges.

Section I. Religious Demography

The U.S. government estimates the total population at 26.7 million (July 2015 estimate). Most citizens are Muslim, belonging either to the Shafi’i order of Sunni Islam or the Zaydi order of Shia Islam. While there are no official statistics, the U.S. government estimates 65 percent of the population to be Sunni and 35 percent Zaydi. Media reports estimate approximately 15,000 Ismaili Muslims are concentrated in the Haraz district near Sana’a. There are an indeterminate number of Twelver Shia (residing mainly in the north) and Sufis. Groups together comprising less than 1 percent of the population include Jews, Bahais, Hindus, and Christians, many of whom are refugees or temporary foreign residents. Christian groups include Roman Catholics and Anglicans. The once

sizable Jewish community is the only indigenous non-Muslim minority religious group. After decades of emigration to Israel, media reports estimate fewer than 100 Jews remain; according to one estimate, 20 to 40 remain in a Sana'a neighborhood and 55 in Rayda district of Amran Governorate. Media estimate there are 150 Bahai in the country.

The Ismaili community includes both the al-Makarem and Bohra sects. Following the outbreak of the conflict, many Bohras reportedly fled Yemen for India.

Recent media estimates suggest approximately 95,000 persons of Indian origin reside in the country, concentrated in the south.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution declares Islam to be the state religion. It provides for freedom of thought and expression “within the limits of the law,” but omits mention of freedom of religion, belief or conscience. The constitution states sharia is the source of all legislation, although it coexists with secular common law and civil code models in a hybrid legal system.

The criminal code states “deliberate” and “insistent” denunciation of Islam or conversion from Islam to another religion is apostasy, which is a capital offense. The law allows those charged with apostasy three opportunities to repent; upon repentance they are absolved from the death penalty. Family law prohibits marriage between a Muslim and an individual whom the law defines as an apostate. By law, a woman seeking custody of a child “ought not” to be an apostate; a man “ought” to be of the same faith as the child.

The law prohibits proselytizing directed at Muslims. The law prescribes up to three years’ imprisonment for public “ridicule” of any religion, and prescribes up to five years if the ridiculed religion is Islam.

By law, the government must authorize construction of new buildings. The law does not reference places of worship specifically.

Public schools must provide instruction in Islam but not in other religions. The law specifies the acquisition of knowledge of Islamic rituals, and of the country’s history and culture within the context of Islamic civilization as an objective of primary education, and knowledge of Islamic doctrine as an objective of secondary education. Shia and Sunni students are taught from the same curriculum in public schools.

Sharia serves as the basis for all law, although in addition to courts of first instance which address civil, criminal, commercial, and personal status cases, there are informal tribal tribunals – operating mostly in rural areas – which administer customary law in addition to sharia to resolve disputes.

By law, Muslim women may not marry non-Muslims, and Muslim men may not marry women who are not Muslim, Jewish, or Christian.

The constitution states the president must be Muslim (“practices his Islamic duties”), although it allows a non-Muslim to run for parliament as long as he “fulfills his religious duties.” The law does not prohibit political parties based on religion, but states parties may not claim to be the sole representative of any religion, oppose Islam, or restrict membership to a particular religious group.

Government Practices

Following the Houthi rebel takeover of state institutions in January, the government went into exile in March, leaving it unable to exercise effective legal or administrative control over religious affairs inside the country.

A Bahai initially taken into custody in 2013 by officials of the Political Security Organization (PSO) remained in prison in Sana’a. Government authorities had reportedly tortured him during the first 45 days of his detention and had accused him of apostasy, proselytizing, and spying for Israel. Following the rebel takeover, his detention continued, but he was allowed defense counsel. On November 8, the Bahai appeared before a court, where the judge threw out the evidence obtained during the period of reported torture, and stated any charge against him must be for a crime not related to his faith, according to an NGO. The Bahai was admitted to hospital from prison on November 23. Although further court appearances were scheduled, as of year’s end he had not been brought to trial.

Prior to the outbreak of military conflict in March, Roman Catholic, Protestant, and Ethiopian Orthodox Christian weekly religious services continued to take place without government interference throughout Sana’a, Aden, and other cities. Christians and Jews continued to hold services in private homes or facilities such as schools without harassment.

According to the Sanaa-based head of the Jewish community, some time after it went into exile, the government suspended the monthly monetary and food aid it used to give to the community.

Prior to the outbreak of the military conflict, Customs and Ministry of Culture officials prohibited the importation of foreign publications after determining they were “religiously objectionable,” because they were critical of Islam. The authorities allowed the importation of other religious books, e.g., the Bible, for personal use but not for sale.

Prior to the outbreak of the current military conflict, the government continued to permit the use of Hindu temples in Aden and Sana’a as well as existing church buildings for religious services of other denominations.

In January Vice President/Prime Minister Khaled Bahah wrote to Minister of Endowments Fuad bin al-Sheikh Abu Bakr calling upon him to prevent the destruction of a Jain temple in Aden, according to media reports. Following a December 2014 court order for the temple’s demolition, civil society groups had reportedly protested against demolition, saying the temple was part of the country’s cultural heritage.

The government is unable to verify the religious curriculum taught in some private schools. Muslim citizens may attend private schools that do not teach Islam. Most non-Muslim students are foreigners and attend private schools.

Abuses by Foreign Forces or Non-State Actors

Since March the government has been engaged in a military conflict with Houthi militants and with forces loyal to former president Saleh. The rebels established control over Sana'a in September 2014 and expanded their control to take over large portions of the country. Following house arrests and other measures taken by the Houthis against government members, senior government officials fled and reconstituted the Yemeni government in Saudi Arabia, where it requested assistance from Arab partners to defeat the rebels. The civil conflict was accompanied by sectarian violence. Terrorist groups, including AQAP, contributed to the violence, continuing attacks targeted at government representatives and installations, members of the Southern Mobility Movement (Hirak) group, and other individuals they accused of "immoral" behavior. Jihadist websites characterized such attacks as "warfare against apostates."

During evening prayers on September 2, two suicide bombers attacked the Zaydi Shi'a al-Muayyed mosque in Sana'a's al-Jeraf neighborhood, killing 32 persons and injuring at least 98. After the arrival of paramedics, a follow-on car bomb detonated outside the building. The next day the Da'esh (Islamic State in Iraq and the Levant) affiliate Wilayat Sana'a claimed responsibility for the double bombing, justifying the attack as retaliatory. Other attacks on Zaydi mosques occurred on March 20, June 17, June 20, July 29, and September 24.

On July 29, a car bomb exploded at the Al-Fayed Al-Hatami mosque in Sanaa, the principal mosque and administrative center for Ismaili Muslims, killing four and wounding six. According to media reports, Da'esh claimed responsibility for the attack.

In October media reported AQAP had killed four men they accused of practicing witchcraft and sorcery in Mayfaa, in the southern governorate of Hadramawt.

During the year, there were reports of Houthi rebels pressuring imams at Sunni mosques to deliver prescribed sermons; compliance was reportedly mixed. In addition, Houthi minders reportedly pressed worshipers at Sunni mosques to sign political petitions protesting the Arab-led coalition campaign against Houthi-Saleh rebels.

In northern areas traditionally under Zaydi control, there were reports of continued Houthi efforts to impose their religious beliefs on non-Zaydi residents, including by banning music and requiring women wear full veils. Zaydi sources stated such restrictions were the result of actions of individuals and not directed by Houthi leadership.

Houthi Ansar Allah leader Abd al-Malik al-Houthi alleged Israeli involvement in the Arab-led coalition campaign against Houthi rebels in speeches featuring anti-Semitic slogans.

In February the chaplain at Christ Church Aden, an Anglican church in the city's Crater neighborhood, departed Yemen due to the deteriorating security situation following the Houthi-Saleh forces' assault on the city. Within weeks, the church had reportedly also closed an eye clinic,

which it had operated on church grounds. In May rebel Houthi militias ransacked St. Anthony, a Catholic church in Aden's al-Tawahi neighborhood, according to a tweet circulated on the Internet.

According to media reports, on September 16, masked individuals burned St. Francis, a Roman Catholic church in Aden, a day after other individuals had ransacked the building. The media quoted a security official with the government-in-exile as saying AQAP might have been responsible. The priest at the church had reportedly vacated Aden in March. In a separate incident the same week, according to media reports, an individual set fire to Aden's Church of the Holy Family, also known as the Church of St. Joseph.

Section III. Status of Societal Respect for Religious Freedom

Radical religious leaders, both Zaydi Shia and Sunni, continued to invoke *takfir* (the practice of one Muslim declaring another Muslim to be an apostate) reportedly to target members of the opposition. Continued usage of sectarian rhetoric by Houthi leader Abd al-Malik al-Houthi and by Sunni clerics was followed by increased sectarian tensions and conflict.

Anti-Semitic material continued to appear in print. Jewish leaders reported continued harassment of Jewish community members in Amran by the local population, including by throwing stones and coercion to convert to Islam. Jewish students reportedly continued to stay away from public schools due to social pressures and security concerns. Attempts by the Jewish community to establish private schools, which had been abandoned following the Houthi takeover of Sana'a in September 2014, remained halted. In October several members of the Jewish community departed Yemen, citing concerns over security and their children's future.

Prior to the outbreak of the military conflict, Christian community representatives reported increased scrutiny by Houthi rebels, leading them to be more discreet, although they continued to wear religious garb.

Section IV. U.S. Government Policy

All U.S. diplomats were evacuated from the country in February and resumed operations from a temporary location outside the country in April. They continued to stress the importance of religious tolerance and interfaith dialogue in meetings with officials of the government-in-exile held outside the country. The Ambassador met with officials from the government-in-exile and discussed the challenges minority religious communities faced, including scrutiny by Houthis, displacement from homes and businesses, and targeting by violent extremist groups. He also met with representatives of religious minorities to discuss those challenges.
