

# YEMEN 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution declares Islam 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 does not mention freedom of religion. The law prohibits denunciation of Islam, conversion from Islam to another religion, and proselytizing directed at Muslims. Conflict broke out in 2014 between the government, led by President Abd Rabbuh Mansour Hadi, and Houthi-led Ansar Allah, a Zaydi Shia movement and continued through year’s end. The Houthis were allied with elements loyal to former President Ali Abdullah Saleh from the 2014 coup until Saleh broke the alliance on December 2; Houthi rebels killed him on December 4. The Hadi-led government remained in exile and did not exercise effective control over much of the country’s territory. Air strikes on places of worship, religious institutions, and religious gatherings, which some nongovernmental organizations (NGOs) and media attributed to progovernment forces, caused casualties and property damage, including a February airstrike killing six individuals participating in a funeral service.

Houthi rebels continued to control Sana’a and much of the north and west of the country. On March 17, Houthi rebels launched two rockets at a mosque inside a military camp in Marib Province, killing 22 persons. In April media reported a pro-Hadi-led government NGO organized protests in Taiz, Marib, and Aden Provinces in opposition to the targeting of mosques by Houthi forces. According to NGO reports, in April authorities in Sana’a issued arrest orders for at least 30 Bahais on charges related to their religion, including propagation of the Bahai Faith. The Houthi-controlled National Security Bureau (NSB) detained multiple Bahais in areas under its control. In late October Houthi security forces raided a Bahai gathering in Sana’a, arresting Akram Ayyash, the brother of one of those detained in April, Walid Ayyash. At year’s end, the whereabouts of Walid Ayyash and seven other Bahais detained in April were unknown. Terrorist attacks by al-Qaida in the Arabian Peninsula (AQAP) and ISIS continued. In September unidentified militants released Indian Catholic priest Tom Uzhunnalil, kidnapped during an attack on a nursing home in Aden in March 2016.

According to press reports, an unknown gunman killed a law student in Aden in May because of his membership in a cultural club established by secularists. Local armed forces blocked the funeral procession to prevent the student’s burial in the city cemetery. Anti-Semitic material continued to appear in print. Jewish

community members reported their declining numbers made it difficult to sustain their religious practices.

The Ambassador, not resident in the country, met with officials of the Hadi-led government in Riyadh and discussed the hurdles minority religious communities faced, including scrutiny by Houthis, displacement from homes and businesses, and targeting by violent extremist groups.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 28 million (July 2017 estimate). More than 99 percent of the population is Muslim (2010 estimate), 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. There is an indeterminate number of Twelver Shia (residing mainly in the north), Ismailis, and Sufis. Jews, Bahais, Hindus, and Christians, many of whom are refugees or temporary foreign residents, comprise less than 1 percent of the population. Christian groups include Roman Catholics and Anglicans. The Jewish community is the only indigenous non-Muslim minority religious group. Media sources suggest that only 50 Jews remain in the country.

Ismailis include both the al-Makarem and Bohra communities. Following the outbreak of the conflict, many Bohras fled the country for India.

Due to the continuing political instability and violence in the country, the once sizable population of Indian nationals continued to decrease. There is no firm estimate of persons of Indian origin or who practice Hinduism residing in the country; one source suggests the population of Indian nationals is less than 3000.

## **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 does not mention 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 of law in a hybrid legal system.

Sharia serves as the basis of the legal system. The courts of the first instance address civil, criminal, commercial, and personal status cases. Informal tribunals, operating mostly in rural areas, administer customary law in addition to sharia to resolve disputes.

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

The criminal code states “deliberate” and “insistent” denunciation of Islam or conversion from Islam to another religion is apostasy, 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. Muslim women may not marry non-Muslims, and Muslim men may not marry women who do not practice one of the three Abrahamic religions (Islam, Christianity, or Judaism). 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.

There is no provision for the registration of religious groups.

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

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

The country is a party to the International Covenant on Civil and Political Rights.

## **Government Practices**

The government under President Abd Rabbuh Mansour Hadi remained in exile in Saudi Arabia and did not exercise effective legal or administrative control over much of the country. Prime Minister Ahmed Bin Dagher and various members of the cabinet, however, maintained an intermittent presence in Aden.

Prior to the outbreak of the military conflict in March 2015, Customs and Ministry of Culture officials prohibited the importation of foreign religious publications after determining they were “religiously objectionable,” because they were critical of Islam. The authorities allowed the importation of other religious books, including the Bible, for personal use but not for sale. Due to the conflict, there was not sufficient information on the situation during the year.

Prior to the outbreak of the current military conflict, the government permitted the use of Hindu temples in Aden and Sana’a as well as existing church buildings for religious services of other denominations. Due to the conflict, information on the use of these religious sites was not available during the year.

The government was unable to verify the content of the religious curriculum taught in some private schools, although the government said it was aware of the forced introduction of Zaydi Shia teaching into the curriculum of schools within Houthi areas of control. Some Muslim citizens attended private schools that did not teach Islam. Most non-Muslim students were foreigners and attended private schools. A report by Global Partnership for Education released in May stated that 90 percent of Yemeni schools were still open, with the government trying to continue the education of over five million children and youth, 73 percent of the student population. According to the Ministry of Foreign Affairs, schools were open for only a few hours a day in many areas and over 2,000 were closed because of damage or because displaced persons or armed groups had occupied them.

## **Abuses by Foreign Forces or Nonstate Actors**

Since March 2015, the Hadi-led government has engaged in a military conflict with Houthi rebels 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 country’s government in Saudi Arabia, where it

requested assistance from Saudi Arabia and other states in the region to defeat the rebels. The civil conflict has been accompanied by sectarian violence. Terrorist groups AQAP and ISIS, as well as other militias and separatist groups, continued to contribute to the violence.

Saudi Arabia and a coalition of other states continued air and ground operations against Houthi rebels. Saudi-led Coalition airstrikes damaged places of worship and religious institutions and caused casualties at religious gatherings, according to NGOs and media. On January 6, an airstrike hit a mosque in Arhab District in Sana'a, which was reportedly empty at the time. On February 15, also in Arhab District, an airstrike struck a house, killing six civilians who were participating in a funeral ceremony.

On March 17, Houthi rebels launched two rockets at a mosque inside a military camp in Marib Province, killing 22 individuals during Friday prayers. In April media reported a progovernment NGO organized protests in Taiz, Marib, and Aden Provinces in opposition to the Houthis' targeting of mosques. The NGO said Houthi rebels had destroyed 750 mosques in Yemen during the conflict.

According to the UN, Bahai community members in Sana'a faced a "persistent pattern of persecution," including arrest orders and pressure to recant their faith. According to NGO reports, in April Houthi authorities in Sana'a issued arrest orders for at least 25 Bahais on charges related to their religion, including propagation of the Bahai Faith. The authorities had previously arrested many of these individuals in 2016 after a religious gathering, according to civil society reports. At least one individual detained with the group of Bahais in 2016 remained imprisoned without due process. The Houthi-controlled NSB detained multiple Bahais in areas under their control through June. Five of these individuals, including Walid Ayyash, a prominent community member seized while driving from Ibb to Al-Hudaydah, remained in custody at year's end. Other Bahais reportedly feared arbitrary arrest and took measures to avoid attention. On May 15, hundreds of demonstrators marched in front of the Specialized Criminal Prosecution building in Sana'a to protest the detentions. In late October Houthi security forces raided a Bahai gathering in Sana'a, arresting Akram Ayyash, Walid Ayyash's brother. The whereabouts of Walid Ayyash and seven other Bahais detained in April remained unknown at year's end.

Hamed Kamal Muhammad bin Haydara, a Bahai community member imprisoned by the NSB since 2013 and accused of apostasy, proselytizing, and spying for Israel, remained in detention. Bahai representatives said he was being held in poor

conditions with limited access to medical care or family visits and he had been tortured.

In September unidentified militants released Indian Catholic priest Tom Uzhunnalil, whom they had kidnapped during an attack on a nursing home in Aden in 2016. In a video posted in May, Uzhunnalil said his health was deteriorating, and he called for help securing his release. The Government of India confirmed Uzhunnalil returned to India in September.

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 attire that identified them as members of the community.

In northern areas traditionally under Zaydi control, there were reports of continued Houthi efforts to impose their religious customs on non-Zaydi residents, including by banning music and requiring women to wear full veils.

New textbooks issued during the year by Houthi authorities promoted sectarian messages, jihadi extremism, and isolation from the outside world. Translated portions of the textbook include sentences such as “Damnation be on the Jews” and “America is the biggest Satan.” The Quranic Culture Book for third graders, authored by Mohammed Badraddeen, featured the words “America” and “Israel,” surrounded by the words: “Our enemy, the head of evil, and the biggest Satan.”

According to media, these developments coincided with a significant increase in sectarian propaganda in the lead-up to the September 21 parade and celebration in Sana’a commemorating the Houthi revolution. Messaging on billboards and in mass media outlets (including Radio Sana’a) increasingly focused on Houthi leader Abd al-Malik al-Houthi’s divine right to rule as a descendent of the Prophet. Houthi leader Abd al-Malik al-Houthi continued to use sectarian rhetoric. Abd al-Malik al-Houthi again stated there was Israeli involvement in the Saudi-led coalition campaign against Houthi rebels in speeches featuring anti-Semitic slogans.

### **Section III. Status of Societal Respect for Religious Freedom**

According to press reporting, an unknown gunman killed a law student in Aden in May because of his membership in a cultural club established by secularists. Local armed forces blocked the funeral procession to prevent the student’s burial in the

city cemetery. Members of the club said they received threats from individuals accusing them of being atheists and that local imams had publically called them infidels.

Anti-Semitic material continued to appear in print. The slogan on the Houthi flag states, “God Is Great, Death to America, Death to Israel, Curse on the Jews, Victory to Islam.” Jewish community members reported their declining numbers made it difficult to sustain their religious practices.

Ismaili Muslims continued to complain about discrimination.

According to the Government of India, the Indian community continued to be able to engage in religious practice. The Indian Association in Aden continued to manage the Mataji Temple and held services once a month. A separate crematorium in Aden for Hindus continued to function.

#### **Section IV. U.S. Government Policy and Engagement**

Because of the deteriorating security situation in Sana’a, the Department of State suspended embassy operations at U.S. Embassy Sana’a on February 11, 2015, and resumed operations from a temporary location outside the country in April 2015. In meetings with officials of the Hadi government outside the country, U.S. officials continued to stress the importance of religious freedom, tolerance, and interfaith dialogue. The Ambassador met with officials from the Hadi government as well as with Coalition members and discussed the difficulties minority religious communities faced – including scrutiny by Houthis, displacement from homes and businesses, persecution, and targeting by violent groups.