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## Yemen

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2010**

**November 17, 2010**

The constitution does not protect or inhibit freedom of religion. The constitution declares that Islam is the state religion and that Shari'a (Islamic law) is the source of all legislation. Muslims and followers of religious groups other than Islam are free to worship according to their beliefs; however, the government prohibits conversion from Islam and the proselytizing of Muslims.

There was no significant change in the status of respect for religious freedom by the government during the reporting period. Some Zaydi Muslims -- especially in the war-torn Saada Governorate -- reported that they continued to feel targeted by government entities for their religious affiliation. After experiencing increased harassment and numerous threats from Muslim neighbors in 2008 and 2009, Jewish residents of Amran Governorate left the country in large numbers during the reporting period.

Reports of societal abuses and discrimination increased between adherents of Shi'a and Sunni Islam. The rapid spread of Salafi-Sunni Islam in traditionally Zaydi-Shi'a areas of the country and the increasing religious and political radicalization of the Zaydi-Shi'a Houthi rebels resulted in more reports of violence between the Zaydi and Salafi communities. This increased violence stood in contrast to the historically amicable relationship between the Zaydi-Shi'a and Sunni communities, historically the country's two predominant Islamic sects. The ongoing, unresolved conflict in Saada Governorate and violence between government forces and the Houthi rebels continued to enflame political, tribal, and religious tensions during the reporting period.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. During the reporting period, the U.S. government was particularly involved in protecting the rights of the Jewish community. Due to ongoing fears for the community's safety, the U.S. government continued to administer a special process to refer Yemeni Jews for refugee resettlement in the United States.

#### Section I. Religious Demography

The country has an area of 328,100 square miles and a population of 23 million.

Most citizens are Muslims, officially belonging to either the Zaydi order of Shi'a Islam or the Shafa'i order of Sunni Islam. While there are no available statistics, Zaydis make up an estimated 45 percent and Shafa'is 55 percent of the population.

There are reports that a significant percentage of Muslims are now adherents to Salafi-Sunni Islam, but official statistics were unavailable to confirm these reports. There are a few thousand Ismaili Muslims who reside mainly in the north. There are reportedly 150 Baha'is.

Jews are the only indigenous non-Muslim religious minority. Nearly all of the once sizable Jewish population has emigrated. Fewer than 150 Jews remain in Amran Governorate in the north of the country. The government's inability to protect this group adequately from increased threats has led to the emigration of much of the community. Since January 2007 the historic Saada Governorate community of 60 Jews has lived in Sana'a, under the protection of the government, after abandoning their homes in the face of threats from the Houthi rebels. The community abandoned its synagogues in Saada. Until the increase in violence against the Jewish community in December 2008 and January 2009 forced their closure, there were at least two functioning synagogues in Amran Governorate.

There are an estimated 3,000 Christians throughout the country, most of whom are refugees or temporary foreign residents. There are four churches in Aden, three Roman Catholic and one Anglican. There are approximately 40 Hindus living in Aden who trace their origins to India. Aden has one Hindu temple.

Among religious minorities, approximately 1,000 Christians and most Jews actively participated in some form of formal religious service or ritual, although not always in a public place of worship.

## Section II. Status of Government Respect for Religious Freedom

### Legal/Policy Framework

The constitution does not protect or inhibit freedom of religion. The constitution declares that Islam is the state religion and that Islamic law is the source of all legislation. In practice this meant that the local interpretation of Islamic law is used as a basis for all law. Followers of religious groups other than Islam were free to worship according to their beliefs and to wear religiously distinctive ornaments or dress. Islamic law forbids conversion and prohibits non-Muslims from proselytizing and the government enforced this prohibition.

All non-Muslims were barred from running for parliament, and Jews are not eligible to serve in the military or federal government. The constitution notes that the president of the republic must "practice his Islamic duties."

The government observes the following religious holidays as national holidays: Mouloud, Eid al-Fitr, Eid al-Adha, and Muharram.

The government required permission for the construction of new places of worship.

The government issued residence visas to priests to provide for their community's religious needs. Christian clergy who minister to the foreign community were employed in teaching, social services, and health care.

Public schools provided instruction in Islam but not in other religions; however, Muslim citizens could attend private schools that do not teach Islam. Almost all non-Muslim students were foreigners and attend private schools.

The government did not maintain records of an individual's religious identity, and no law required religious groups to register with the state.

### Restrictions on Religious Freedom

After 13 months of relative quiet, the sixth round of fighting between the government and the Houthi rebels in Saada Governorate began in August 2009. Fighting and internally displaced persons were spread across four northern

governorates. A tentative ceasefire was agreed upon in February 2010, but it was not fully implemented and low-level hostilities between the Houthis and the government's tribal proxies continued as of the end of the reporting period.

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The government maintained that the Houthis are adherents of Twelver Shi'ism, a variant of Shi'ism that differs from that of the country's predominant Zaydi Shi'a. Houthi leaders generally denied the allegation. The Houthis follow the late rebel cleric Hussein Badr Eddine al-Houthi, who was killed during a 10-week rebellion in 2004 against the government in Saada. Some Zaydis continued to report harassment and discrimination by the government because they were suspected of sympathizing with the Houthis. Human rights groups reported that hundreds of Zaydis remained in jail because of their religious affiliation and without any connection to the fighting. However, it appeared the government's actions against the group were politically, not religiously, motivated.

Government actions to counter an increase in political violence in Saada restricted some practice of religion. During the reporting period, the government reportedly continued its efforts to stop the growth of the Houthis' popularity by limiting the hours that mosques were permitted to be open to the public. The government maintained that it was only enforcing existing tradition that mosques should be used primarily for prayer and not for political activities. The government continued to close what it claimed to be extremist Shi'a religious institutes, and reassigned imams who were thought to espouse radical doctrine and continuing monitoring mosque sermons. Local human rights NGOs reported that the government replaced Zaydi imams with Sunni imams in mosques throughout northern Yemen, including the capital of Sana'a. In contrast weekly services for Roman Catholic, Protestant, and Ethiopian Orthodox Christians were held throughout Sana'a, Aden, and other cities without government interference. Throughout the country Christians and Jews held services regularly in private homes or facilities such as schools without harassment, and such facilities appeared adequate to accommodate the small numbers involved.

The government prohibited the proselytizing of Muslims. Under Islamic law as applied in the country, the conversion of a Muslim to another religion was considered apostasy, which the government interpreted as a crime punishable by death.

The ruling General People's Congress (GPC) and the Islah opposition party both drew on Islam as a basis for law in their platforms. The ruling GPC did not exclude members of any religion from its membership. Islah required that a member must be "committed" to Islamic teachings. There were other minor political parties that were said to be Islamic in nature, although it was not clear if they restricted their membership to Muslims.

During the reporting period, the government continued its efforts to prevent the politicization of mosques and schools, as well as to curb extremism and increase tolerance. The government's efforts concentrated on monitoring mosques for sermons that incited violence or other political statements that it considered harmful to public security. Private Islamic organizations could maintain ties to international Islamic organizations; however, the government sporadically monitored their activities through the police and intelligence services.

The government also continued efforts to close unlicensed schools and religious centers. In 2005 the Ministry of Religious Endowments conducted a study that assessed that there were 4,568 unlicensed religious schools and institutions. The government expressed concern that these schools deviated from formal educational requirements and promoted militant ideology. During the reporting period, the Ministry of Religious Endowments continued the process of evaluating these schools and closing those deemed problematic, although specific numbers of closed schools were unavailable. The government also deported some foreign students found studying in unlicensed religious schools. The government prohibited some private and national schools from teaching courses outside the officially approved curriculum. The purpose of these actions was ostensibly to curb ideological and religious extremism and intolerance in schools.

According to human rights groups, the Ministry of Culture and the Political Security Organization (PSO) monitored and sometimes removed from stores printed materials that espoused Zaydi-Shi'a doctrine. There were also reports from Zaydi

scholars and politicians that authorities continued to ban the publishing of some materials that promoted Zaydi-Shi'a Islam. The government denied that the media was subject to such censorship.

Government policy generally did not prohibit or provide punishment for the possession of non-Islamic religious literature; however, reports existed during the reporting period that individuals in possession of amounts of non-Islamic religious materials deemed too large for personal use were detained and the government confiscated their materials, ostensibly to prevent proselytizing.

The government did not allow the building of new public places of worship without previous authorization. Roman Catholic officials at the end of this reporting period, as in previous periods, were still waiting for a decision from the government on whether it would allow an officially recognized Roman Catholic establishment to be built in Sana'a. Church officials did not attribute government inaction to discrimination.

Following the unification of North and South Yemen in 1990, owners of property expropriated by the communist government of the former People's Democratic Republic of Yemen were invited to seek restitution; however, implementation has been extremely limited, and very few properties have been returned to previous owners. In exchange for its confiscated property, the Catholic Church requested from the government a small plot of land in Sana'a on which to build a Catholic establishment. The church was still awaiting action on the request at the end of the reporting period.

Some local customs are codified in various laws and policies discriminated against women and persons of non-Muslim religious groups.

Muslim women are not permitted to marry outside of Islam. Under the 1992 Personal Status Law, men were permitted to marry as many as four wives. The law prohibited men from marrying non-Muslims (except for Jewish and Christian women) or apostates (those who have renounced Islam).

#### Abuses of Religious Freedom

There were no specific reports of prisoners or detainees in the country who were converts from Islam to Christianity.

On June 20, 2008, according to independent reports, police arrested seven Baha'is (two Yemeni citizens, four Iranians, and one Iraqi) in their homes during raids and detained them without filing charges. The two Yemeni citizens were subsequently released. The government released the five foreign detainees in October 2008 on the condition that they leave the country within two months or face deportation to their native countries. At the end of the reporting period, the issue had not been fully resolved.

In June 2008 a convert to Christianity and two of his associates were reportedly arrested in Hodeida for "promoting Christianity and distributing the Bible." Authorities reportedly transferred them to a jail in Sana'a. Four other associates, who evaded capture, were sought by the authorities. No further information was available at the end of the reporting period.

In May 2008 Imam Mohammed Ahmed Miftah disappeared after his car was attacked by gunmen from two other vehicles. Previously, Miftah was sentenced to eight years of imprisonment, but later pardoned, for allegedly establishing contacts with Iran for the purpose of harming the country. Prominent Zaydis blamed the government for this incident. Miftah was believed to be in PSO custody at the end of the reporting period. In May 2006 President Saleh had pardoned Imam Miftah, along with Imam Yahia Hussein al-Dailami, who had been sentenced to death. The two men publicly opposed the government's action in Saada and formed the Sana'a Youth Organization, a Zaydi religious-based group that supported the al-Houthis. Both men maintained that they advocated only peaceful dissent against government action in Saada.

In 2007 there was a newspaper report that claimed security officials harassed and detained a Muslim carrying Christian missionary publications in Taiz.

#### Forced Religious Conversion

Although there were no specific reports of forced religious conversion, some Zaydi soldiers reportedly felt significant pressure to convert to Sunni Islam while in the military, according to Zaydi community activists.

A prominent Jewish community leader was killed in December 2008 in Reyda allegedly because of his refusal to convert to Islam.

#### Abuses by Rebel or Foreign Forces or Terrorist Organizations

On June 14, 2009, nine foreigners working at a hospital in Saada were kidnapped by armed men. Three of the hostages were killed immediately. Two hostages were transferred to Saudi Arabian authorities in May 2010 after 11 months in captivity. The remaining four hostages were still missing at the end of the reporting period. An investigation was ongoing, but some observers reported that religious extremists may have targeted the foreigners because of rumors that they were Christian missionaries proselytizing in Saada.

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

There were reports of increased societal abuses and discrimination based on religious affiliation, belief, or practice between adherents of Shi'a and Sunni Islam. The rapid spread of Salafi-Sunni Islam in traditionally Zaydi-Shi'a areas of the country and the increasing religious and political radicalization of the Zaydi-Shi'a Houthi rebels resulted in more reports of violence between the Zaydi and Salafi communities. This increased violence stood in contrast to the traditionally amicable relationship between the Zaydi-Shi'a and Sunni communities, historically the country's two predominant Islamic sects. The ongoing conflict in Saada Governorate and increasing violence between government forces and the Houthi rebels continued to enflame political, tribal, and religious tensions during the reporting period.

Reports described violence between the adherents of Zaydi and Salafi-Sunni Islam in the country's northern governorates. In August 2009 an armed confrontation in Saada Governorate between alleged Houthi supporters, Zaydi Muslims, and Salafi Muslims left 15 dead and five injured. Although information from Saada was limited due to the ongoing military conflict, credible sources believed this incident represented a larger trend in violence between the two groups.

Unlike in the previous reporting period, the Jewish community in Amran Governorate did not report societal abuses and discrimination based on religious affiliation, belief, or practice.

In the previous reporting period, Jewish residents of Reyda and Bait Harrash in Amran Governorate experienced increased harassment by a small group of their Muslim neighbors. Government officials did not resolve these conflicts.

Following numerous incidents and threats, Jewish children in Reyda reportedly stopped attending school in 2009. The community also closed its two synagogues, reportedly for fear of violence. As a result of the unprecedented level of violence in 2008 and 2009, many Jewish residents of Amran Governorate left the country during the reporting period. The remainder of the displaced Saada Jewish community continued to reside in Sana'a, under government protection, after being threatened by Houthi rebels in 2007.

Muslim clergy neither incited nor tolerated religiously motivated violence, except for a small, politically motivated clerical minority, often with ties to foreign and domestic extremist elements.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. embassy maintained an active dialogue on human rights concerns with the government, NGOs, religious groups, journalists, human rights activists, and women's rights activists. Embassy officers periodically met with representatives of the Christian, Jewish, Baha'i, Zaydi and Shafa'i communities.

Due to ongoing fears for the community's safety, the U.S. government continued to administer a special process to refer the country's Jews for refugee resettlement in the United States.

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