



## Yemen

### International Religious Freedom Report 2008

Released by the Bureau of Democracy, Human Rights, and Labor

Neither the Constitution nor other laws protect or inhibit freedom of religion; however, government policies contributed to the generally free practice of religion. The Constitution declares that Islam is the state religion and that Shari'a (Islamic law) is the source of all legislation.

The Government generally respected religious freedom in practice; however, there were some restrictions. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. 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. During the reporting period, there were reports of arrests of Christian converts and members of the Baha'i community.

Although relations among religious groups generally continued to contribute to religious freedom, reports of societal abuses and discrimination based on religious affiliation, belief, or practice increased, particularly as related to the Jewish community in Amran Governorate and Zaydi Muslims. Jewish residents of Amran Governorate reportedly experienced increased harassment by a small group of their Muslim neighbors. Some prominent Zaydi Muslims reported they felt targeted by government entities for their religious affiliation. The continued, unresolved situation in Saada Governorate and increasing violence between government forces and rebels associated with the al-Houthi family, who adhere to the Zaydi school of Shi'a Islam, caused political, tribal, and religious tensions to grow 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 period covered by this report, the U.S. Government was particularly involved in protecting the rights of the Jewish community in Amran Governorate.

#### Section I. Religious **Demography**

The country has an area of 328,100 square miles and a population of 20 million.

Virtually all citizens are Muslims, predominantly belonging to either the Zaydi order of Shi'a Islam or to the Shafa'i order of Sunni Islam. While there are no available statistics, estimates are that the Zaydis make up 45 percent and the Shafa'is make up 55 percent of the population. 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 400 Jews remain in the northern part of the country, primarily in Amran Governorate. Since January 2007 the historic Saada Governorate community of 45 Jews has lived in Sana'a, under the protection and care of the Government, after abandoning their homes in the face of threats from al-Houthi rebels. The community has abandoned its synagogues in Saada. There is at least one functioning synagogue 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 also 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 Religious Freedom

### *Legal/Policy Framework*

Neither the Constitution nor other laws protect or inhibit freedom of religion; however, government policies contributed to the generally free practice of religion. The Constitution declares that Islam is the state religion and that Shari'a is the source of all legislation. In practice, this means that the local interpretation of Shari'a is used as a basis for law. Followers of religious groups other than Islam are free to worship according to their beliefs and to wear religiously distinctive ornaments or dress. Shari'a forbids conversion and prohibits non-Muslims from proselytizing, however, and the Government enforces this prohibition. The Government requires permission for the construction of new places of worship and prohibits non-Muslims from holding elected office.

The Muslim holy days of Eid al-Adha, Muharram, and Eid al-Fitr are public holidays.

The Government issues residence visas to priests so that they may provide for their community's religious needs. Christian clergy, who minister to the foreign community, were employed in teaching, social services, and health care.

The country maintains diplomatic relations with the Vatican.

The Government does not maintain records of an individual's religious identity, and there is no law that requires religious groups to register with the state; however, the General Election Committee has adopted a policy barring all non-Muslims from running for Parliament. Chapter 2, Article 106 of the Constitution further notes that the President of the Republic must "practice his Islamic duties."

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

### *Restrictions on Religious Freedom*

During the reporting period, an effort to revive a peace agreement between the Government and al-Houthi rebels in Saada Governorate failed and hostilities restarted. The Government maintains that the al-Houthis are adherents of Twelver Shi'ism, a variant of Shi'ism which differs from that of the country's predominant Zaydi-Shi'a. The al-Houthis follow the late rebel cleric Hussein Badr Eddine al-Houthi, who was killed during a 10-week rebellion that he led 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 al-Houthis. However, it appears 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. In January 2008, for the fourth year, the Government banned the celebration of Ghadeer Day (a holiday celebrated by Shi'a Muslims) in parts of Saada Governorate. During the reporting period, the Government also reportedly intensified its efforts to stop the growth of the al-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 down what it claimed to be extremist Shi'a religious institutes, reassigning imams who were thought to espouse radical doctrine and continuing monitoring of mosque sermons.

The Government prohibits the proselytizing of Muslims. Under Shari'a, as applied in the country, the conversion of a Muslim to another religion is considered apostasy, which the Government interprets as a crime punishable by death.

The Government does 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 years, 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, however, did not attribute government inaction to discrimination.

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, Christian and Jewish services were held regularly in private homes or facilities, such as schools, without harassment, and such facilities appeared adequate to accommodate the small numbers involved.

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 incite 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 authorities.

During the reporting period, the Government continued efforts to close unlicensed schools and religious centers. By the end of the reporting period, more than 4,500 unlicensed religious schools and institutions were closed. The Government expressed concern that these schools deviated from formal educational requirements and promoted militant ideology. The Government also deported some foreign students found studying in unlicensed religious schools. The Government prohibited private and national schools from teaching courses outside of the officially approved curriculum. The purpose of these actions was to curb ideological and religious extremism and intolerance in schools.

Although, unlike in previous reporting periods, there were no specific reports that both the Ministry of Culture and the Political Security Office (PSO) monitored and sometimes removed books that espoused Zaydi-Shi'a doctrine from stores after publication, human rights groups believe that such practices still continued. There were also credible 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 censorship by any security apparatus.

Government policy generally does not prohibit or provide punishment for the possession of non-Islamic religious literature; however, in June 2008 three persons were reportedly arrested in Hodeida on charges that included "distributing the Bible." In previous reporting periods, there were credible reports that persons were harassed by members of the PSO, which reports directly to the president's office, and by police for possessing such literature. In previous reporting periods, there were also reports that some members of the PSO monitored, harassed, and occasionally censored the mail of missionary groups and those associated with them, ostensibly to prevent proselytizing. While there were no specific reports of these actions during the period covered by this report, human rights groups believe that such actions still persisted.

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. As in previous reporting periods, the Church was still awaiting action on the request at the end of the period covered by this report.

Some local customs, believed to be part of Shari'a as practiced in the country, are codified in various laws and policies. Some of these laws discriminate against women and persons of other religious groups.

According to the Government's interpretation of Shari'a, Muslim women are not permitted to marry outside of

Islam. Under 1992 Personal Status Law No. 20, men are permitted to marry as many as four wives. The law forbids men from marrying non-Muslims (except for Jews and Christians) or apostates (those who have renounced Islam).

#### *Abuses of Religious Freedom*

During the reporting period, there were credible reports that several converts from Islam to Christianity were detained by authorities and may still be in custody.

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

During the previous reporting period, there was a credible newspaper report that claimed security officials harassed and detained a Muslim carrying Christian missionary publications in Taiz.

On June 20, 2008, according to some independent reports, seven Baha'is (two Yemenis, four Iranians, and one Iraqi) were arrested in their homes during raids by police. Authorities were conducting an ongoing investigation, and 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 8 years of imprisonment, and later pardoned, for allegedly establishing contacts with Iran for the purpose of harming the country. Prominent Zaydis blame the Government for this incident. Miftah was believed to be in PSO custody at the end of the reporting period.

Previously, 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 only advocated peaceful dissent against government action in Saada.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

Unlike in previous reporting periods, there were no reports of violence initiated by Salafi elements attempting to take control of moderate and Sufi mosques around the country.

Unlike in previous reporting periods, there were no reports that followers of Ismaili Islamic teachings were harassed and forbidden entry to mosques affiliated with Salafi followers.

### **Section III. Societal Abuses and Discrimination**

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice, but the Government generally supported religious freedom.

Jewish residents of Rayda and Bait Harrash in Amran Governorate reportedly experienced increased harassment by a small group of their Muslim neighbors. Government officials reportedly could not intervene because of a lack of witnesses to the harassment. In one case a bullet was fired into a water tank on the roof of one of the community's homes while a member of the family was on the roof. Government authorities investigated the case and arrested the perpetrator, who remained incarcerated at the end of the reporting

period.

The displaced Saada Jewish community continued to reside in Sana'a, under government protection and care, after being threatened by al-Houthi rebels in January 2007.

In April 2008 a large group of men entered, ransacked, and destroyed two homes in Saada Governorate belonging to a member of the Jewish community now living in Sana'a. The attack was believed to have been the work of al-Houthi rebels.

In early June a college student in Aden reported that he had been beaten by what was described as "religious men," for walking with a group of his female classmates.

There were no reported incidents of violence or discrimination between the adherents of Zaydi and Shafa'i Islam, the two main orders of Islam practiced in the country.

Religiously motivated violence was neither incited nor tolerated by the Muslim clergy, except for a small, politically motivated clerical minority, often with ties to foreign 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 meet with representatives of the Jewish and Christian communities. The U.S. Special Envoy to Monitor and Combat Anti-Semitism visited Yemen in December 2007 and met with senior government officials.

Released on September 19, 2008

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