

# Religious Freedom

in Yemen



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## **About us**

INSAF Center for Defending Freedoms & Minorities is a non-profit and non-governmental Yemeni organization, established in 2019. It seeks to defend public freedoms and minority rights in Yemen by documenting violations, providing support tools and advocacy, and conducting research and studies related to minorities, freedoms and human rights, as well as conducting capacity building in this field through organizing courses and workshops and holding seminars and events that enhance awareness regarding the importance of freedoms and protecting minorities.

## Religious Freedom in Yemen

### Religious Freedoms – A Growing Threat

Since ancient times, Yemen has always been a diverse and culturally rich country. This diversity has led many religious minority groups to settle and coexist peacefully together with other groups for hundreds of years. However, as with many cases around the world, political unrest always leads to the prosecution of these minorities.

The war in Yemen is entering its eighth year now, and the situation of religious freedoms in the country has been deteriorating ever since. This could be attributed mainly due to non-state armed groups' (NSAGs) control of vast areas of the country, along with an absence of any real control by a centralized and recognized government. These militant groups have very little, if any, tolerance to people with different views or beliefs, and have prosecuted, displaced, and in some cases, resorted to the killing of those who oppose their views and ideology.

This paper summarizes some of the most prominent practices and parties involved in the ongoing situation of religious freedom in Yemen.

## Houthi Repression of Minority Groups

The Houthis<sup>1</sup>, a Shiite group that has overshadowed the Zaidi sect in Yemen<sup>2</sup>, are a non-state armed group that has fought six wars against the state and has taken control of the Yemeni capital Sana'a since September 2014 and vast areas of the country. This group has practiced discriminatory and violent policies and forcibly displaced vulnerable Yemeni groups, such as the tens of Jewish Yemeni and Bahai families<sup>3</sup>, in addition to other vulnerable Yemeni (and non-Yemeni) groups such as the marginalized Muhamasheen<sup>4</sup> or refugees Asylum seekers, and immigrants from countries of the Horn of Africa.

They have carried out persecution, arrests, and deportations. At least thirteen Jewish families were displaced during the years 2020 and 2021<sup>5</sup>, as well as the displacement of six Baha'i detainees in exchange for their release in 2020, in a manner that can be described as a "silent genocide".

The Houthis have been trying to impose their teachings and ideas using force, and have also been known to practice extremism against Sunni sects in their areas of control, by suppressing the imams of these sects and imposing their own rituals and beliefs. They forbade performing the "tarawih" prayers during the month of Ramadan<sup>6</sup>, and forbid the reciting of the word "Amen" when reciting Surat Al-Fatihah in prayer because they are rituals that do not exist in their doctrine. Figure 1 on the next page, shows a surge in repression practices by the group, especially during the month of Ramadan. Additionally, they have also been known for blowing up mosques and educational centers belonging to some Sunni sects.

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1 Also known as "Ansar Allah".

2 Mshari Al-Zaydi, "Don't Confuse the Huthis with the Zaidis", *Asharq Al-Awsat*, Nov, 2009,

<https://eng-archive.aawsat.com/mshari-al-zaydi/opinion/dont-confuse-the-huthis-with-the-zaidis>

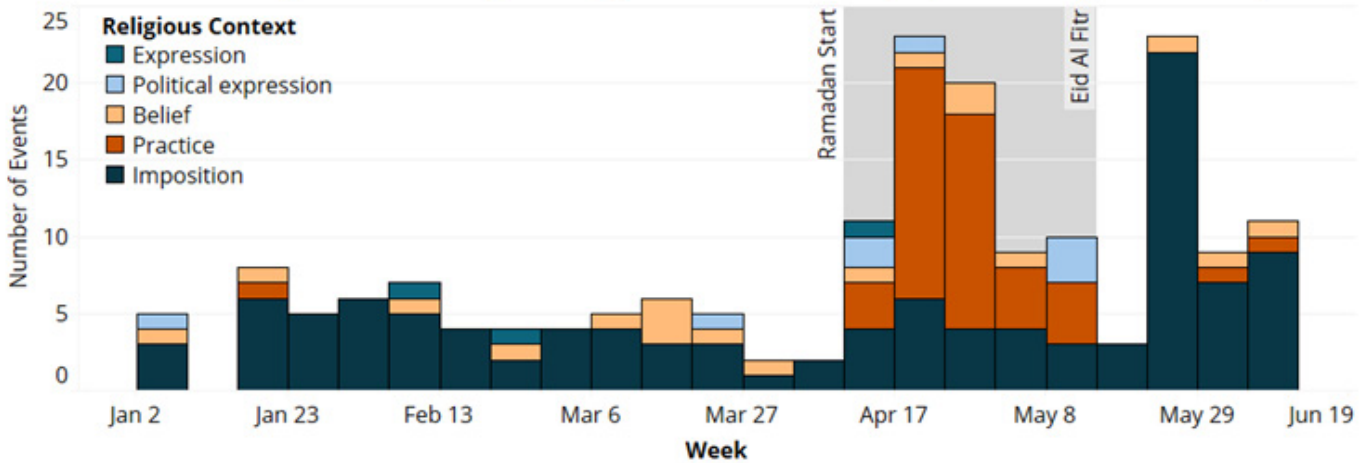
3 Saeed Al-Batati, "Leader of Baha'is in Yemen complains of "systematic" Houthi repression", *ARAB NEWS*, Nov. 2020, <https://www.arabnews.com/node/1766391/middle-east>

4 Muhamasheen: Darker skin Yemenis, thought to be of African ancestry.

5 According to INSAF Center own sources.

6 Luca Nevola, "Religious Repression during Ramadan: Cases from Yemen, Bahrain, Iraq, Egypt, & Palestine", ACLED, <https://acleddata.com/2021/08/12/religious-repression-during-ramadan-cases-from-yemen-bahrain-iraq-egypt-and-palestine/>

### Houthi Repression by Religious Context (2 Jan - 11 Jun 2021)



### Houthi Repression of Religious Practice (12 Apr - 12 May)

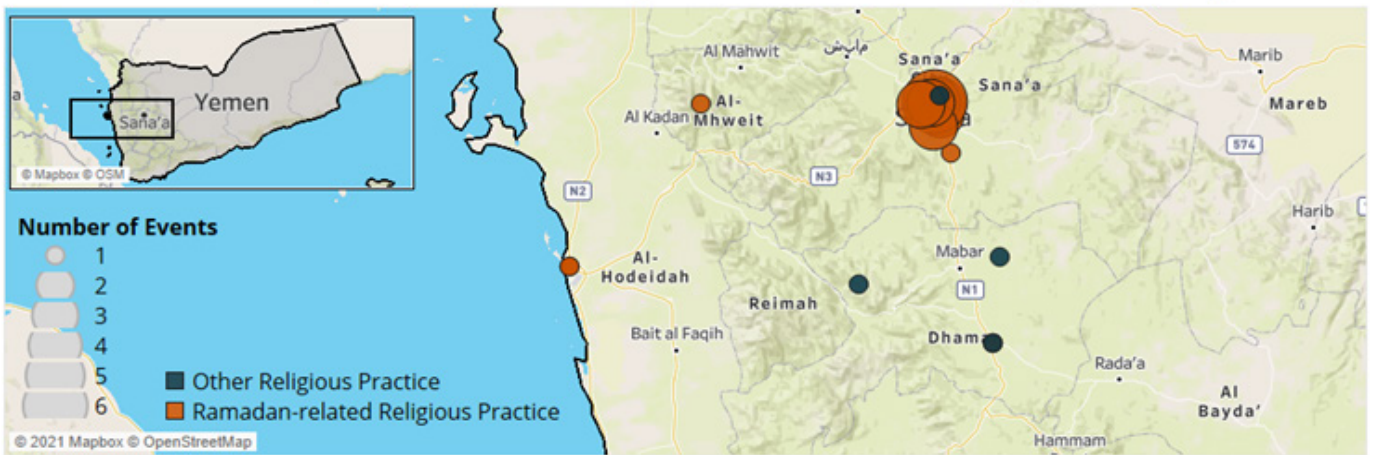


Figure 1: Graph and map showing Houthi Repression Practices, as published by *ACLED* for the Armed Conflict Location & Event Data Project, 2021.

INSAF Center has received several reports from residents in Sana’a and other areas, who informed us about the Houthis’ transformation of several mosques in their neighborhoods from places of worship to places to hold meetings, and Houthi sectarian evenings since last Ramadan.

Their most prominent practices can be summarized as follows:

1. Imposing Shiite beliefs on school students and changing the educational curricula.
2. Closing educational centers, charities, and libraries of those who disagree with them.
3. Forcing citizens to recite their slogan known as “Al-Sarkah” after prayers, and hanging Houthi posters with their slogans in Sunni mosques.

4. Banning imams and preachers of mosques who are not affiliated with the Shiite Houthi movement..
5. Extensive arrests of employees of the Ministry of Awqaf.
6. Targeting Sunni sects.
7. Due to the inconsistency in the date of Eid Al-Fitr between the Sunni and Shiite sects, those who violate the rituals of the Shiite sect can be arrested.
8. Imposing the lectures of the founder of the Houthi group, Hussein Badr Al-Din al-Houthi, on detainees of other religions and prevented them from practicing their rituals.
9. Targeting minorities such as the Baha'is and Jews, and the displacement of people from these groups outside the country, as well as imprisoning some of them without any legal justification, such as the case of the Jewish detainee Libby Marhaby<sup>1</sup>.
10. Forcing people to pay zakat to Houthi religious institutions.
11. Imposing the “Khums”, a law that allows the Houthis to seize 20% of the country’s wealth, whether owned by the state or citizens.

### Families Seeking Protection Due to Religious Persecution

The second important point that we would like to address concerns several Christian families who have reached out to INSAF Center asking for protection and assistance in reaching international organizations due to the increased risk they face. We at INSAF have been able to work with an international human rights organization to relocate and protect a number of Christians to a safe location during March and September of 2021.

These Christians, and others like them in Yemen are not able to express themselves freely<sup>2</sup>, neither in the areas controlled by the Houthis nor in the areas subject to the legitimate govern-

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1 Libby Salem Marhaby: A Jewish Yemeni detainee in Houthi prisons. He was arrested in March 2016 along with three others, along with some employees at Sana’a Airport. Several court orders were issued for his release along with the others, but everyone was released, except for him. For more information regarding this case please refer to the report published by INSAF Center entitled “The Charge: Being Jewish, A Report on the Yemeni Detainee Libby Salem Marhaby”, <https://insaf-ye.org/archives/2474>

2 Open Doors website, <https://www.opendoorsusa.org/christian-persecution/world-watch-list/yemen/>

ment, which contradicts the religious freedom stipulated in the international convention.

### Al-Qaeda Organization

The presence of Al-Qaeda<sup>1</sup> in Yemen terrorizes its citizens, due to violently targeting those who disagree with them ideologically and religiously. In addition to committing terrorist operations, they are known to pressure other groups and sects to forcibly displace them. We at INSAF have witnessed two cases belonging to the Ismaili minority, who were kidnapped by the organization. In such cases, the victims are either slain or bargained with their families for a ransom. Although such violent and extremist acts are nothing new to this organization, they are now no longer confined to Al-Qaeda, with other militias that carry out similar actions (if maybe less gruesome), as we mentioned at the beginning of our report.

### Sectarian Violence in Aden

In the context of our discussion regarding religious differences, we cannot ignore the assassinations in Aden of figures affiliated with the “Islah” party<sup>2</sup>. Some of those targeted are imams of mosques who follow the Shafi’i<sup>3</sup> school of thought, while some are Sufis and followers of the Ismaili doctrine as well.

The killing of these figures, affiliated with Islamic religious-political factions, further provokes and fuels the religious conflict in Yemen and attempts to create sectarian strife between the different sects, which in turn helps fuel the ongoing conflict as well.

### The Most Vulnerable Groups

Despite the catastrophic effects of the war on Yemen and its citizens, religious minorities such as Jews, Christians, Bahais, and Ismailis in various regions of the country have been affected greatly.

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1 Also known as Al-Qaeda in the Arabian Peninsula (AQAP).

2 Euro-Med Monitor, “Yemen: Assassination of key political activists reflects ramifications of lack of accountability”, *reliefweb*, Jul. 2021, <https://reliefweb.int/report/yemen/yemen-assassination-key-political-activists-reflects-ramifications-lack-accountability>

3 Shafi’i: A Sunni sect of Islam.



We are facing a very dangerous situation of intimidation and terrorism due to religious extremism, and the continuation of the war has led to the intensification of this danger, turning Yemen into a dangerous battlefield that will generate more threats to minorities and tighten the noose on religious and sectarian freedoms.

### Legal Obligations

Yemen is a signatory to an array of international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), which guarantees religious freedoms in article 27 of its clauses<sup>1</sup>, and the Convention Against Torture (CAT). However, adherence to some of these agreements is almost non-existent, especially since several provisions of local laws oppose them. These treaties remain in effect during periods of armed conflict. The government of Yemen remains bound by these treaties where it exercises effective control. De-facto authorities controlling large parts of Yemen's territory and population and exercising government-like functions, such as the Houthi group, also have obligations under international human rights law to respect, protect and fulfill human rights within their jurisdiction and where they exercise effective control under their authority.

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1 United Nations Human Rights Office of the High Commissioner official website, <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

## Recommendations

We at INSAF hereby urge the international community, namely UN member States, the European Union, and other relevant stakeholders to continue their efforts in pursuing peace in Yemen, and have prepared a list of recommendations that could aid in implementing those efforts.

1. Supporting the peace efforts and initiatives aimed at restoring a civil state that guarantees the rights and freedoms of all citizens, including minorities.
2. The end of practices of enforced disappearance, arbitrary detention, intimidation, and the displacement of minorities by groups such as the Houthis.
3. Conducting a transparent international investigation into the assassinations targeting religious figures.
4. Finding a solution to protect Yemeni Christians, who are at risk of being subject to these extremist groups, who consider killing them a religious victory.
5. The introduction of protection programs for Yemeni citizens and minorities in particular, through an effective international role, a role which unfortunately is currently absent, that would ensure that citizens be allowed to exercise their right to freedom without intimidation or undue restrictions.
6. Exerting international pressure on all authorities regarding the protection of minorities and their rights. As we have witnessed how effective such pressure can be, which played a major role in the Houthis' decision to release the Baha'i detainees, regardless of the two death sentences issued against them.
7. Ensuring the impartiality and independence of the judicial system and preventing the disruption of the different judicial bodies, whose effective role faded during the ongoing war, which in turn led to the existence of unresolved cases, and to take additional measures to release those arbitrarily detained and forcibly disappeared in Yemen, including the Yemeni Jewish detainee Libby Marhaby, who has been detained since 2016 and has

not been released despite several court rulings calling for his release.

8. Consolidating human rights values and introducing human rights concepts in the educational curricula and media outlets, while providing a legislative environment that limits hate speech and incitement.

9. Taking all necessary measures to ensure the protection of human rights defenders of minorities, including human rights defenders, activists, and journalists against acts of intimidation, attacks, or arbitrary detention, while encouraging them to continue their valuable work.

