

YEMEN 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution declares Islam 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. The law prohibits denunciation of Islam, conversion from Islam to another religion, and proselytizing directed at Muslims. Apostasy is a capital offense, and blasphemy is punishable by fines or imprisonment. The conflict that began in 2014 between the government, led by President Abd Rabbuh Mansour Hadi, and Ansar Allah, a Zaydi Shia movement more commonly known as the Houthis, continued throughout the year. Government control was limited in much of the country’s territory, which constrained its ability to address abuses of religious liberty. A September UN Group of Eminent International and Regional Experts on Yemen (UN Group of Experts) report that covered the period July 2020 to June 2021 reported investigations of accusations that all parties to the conflict had carried out disappearances, unlawful detentions, and/or torture of religious minorities “to punish them for their religious beliefs.” Some analysts said political and economic issues were more significant drivers of the conflict than religion. In October, a prominent UAE-based Islamic scholar reported on social media that religious scholar Taher bin Hussein al-Attas was kidnapped outside his home in Tarim City, and the author of the post blamed the government. The government publicly condemned religious persecution by the Houthi movement, particularly of Baha’is and Jews.

During the year, the Houthis continued to control approximately one-third of the country’s territory, which contained 70 to 80 percent of the population. According to nongovernmental organization (NGO) and UN sources, the group imposed a strict doctrinal regimen that discriminated against individuals who did not follow those practices. The government and Human Rights Watch attributed an October 31 missile attack on the Sunni-denominated Sheikh al-Hajouri Mosque and Center in Juba District of Ma’rib Governorate to the Houthis. The strike killed and wounded dozens, but no party claimed responsibility. Sources attributed various religious liberty abuses during the year to the Houthis, including a June 10 missile attack on another mosque in Ma’rib; the “systematic and silent extermination” of the Baha’i Faith community; the detention and physical mistreatment of Christian pastors; pressure on Christians to renounce their faith; and the continuing detention

of Levi Salem Musa Marhabi, a Jew detained since 2016 for allegedly helping to remove an ancient Torah scroll from the country. The Houthis forced three Jewish families out of the country during the year, leaving only an estimated four to six Jews remaining in the country, including Marhabi. Media reported in November that the Houthis exiled Christian convert Mushir al-Khalidi after having detained him for four years. Sources also accused the Houthis of restricting religious practices by “taxing” religious events and issuing “decrees” to impose Houthi religious norms on other groups. An NGO that monitors education curricula said Houthi textbooks, which emphasized hatred of Jews, were a “blueprint” for radicalization and would incite violence and hate. The UN Group of Experts reported that in March, Houthi leader Abdulmalik al-Houthi incited violence and discrimination against Baha’is, Jews, and other religious minorities by saying these groups “don’t want to coexist... They want to take away the sovereignty of Islam.” Additionally, Houthi imams and Islamic scholars made antisemitic remarks throughout the year, and a popular Houthi chant was “Death to Israel.” The NGO Open Doors USA (Open Doors) reported Islamic terrorist groups such as al-Qaeda in the Arabian Peninsula (AQAP) and ISIS-Yemen (ISIS-Y) considered Christians to be apostates and operated with considerable impunity. According to a July UN report, AQAP was “well established in the central and eastern provinces” and was active in Shabwah, Abyan, and Bayda Governorates, while ISIS-Y was in decline but still active in Bayda and Dali Governorates.

Open Doors said pressure on Christians in all spheres of life including education, employment, family life, and the ability to observe religious practices was “at an extreme level.” Open Doors reported Christians also faced societal discrimination in the distribution of emergency assistance and health care, while those who converted to Christianity faced death threats and risked banishment from their tribes. The NGO said Christian women reportedly experienced sexual harassment, rape, and/or forced marriage to Muslim spouses. Due to the conflict, there was no way to ascertain the status of the country’s small, isolated Ismaili Muslim community.

The Department of State suspended U.S. embassy operations in Sana’a in 2015, and U.S. diplomatic operations regarding Yemen have since been coordinated by the Yemen Affairs Unit (YAU), based in Saudi Arabia. Due to security concerns arising from the conflict, the U.S. government had limited to no access to religious communities in the country during the year. The YAU continued to closely monitor the conditions of religious minority detainees and to press for their release, while also promoting religious freedom through social media. The U.S. Special Envoy for Yemen spoke with foreign government officials, civil society

organizations, and religious leaders during the year regarding the ongoing detention of Marhabi.

Section I. Religious Demography

The U.S. government estimates the total population at 30.4 million (midyear 2021). More than 99 percent of the population is Muslim (2010 estimate), associating their beliefs with either the Shafi'i order of Sunni Islam or Zaydi Islam, a distinct form of Shia Islam. There are also significant numbers of Sunni followers of the Maliki and Hanbali schools, and others who are Ismaili and Twelver followers of Shia Islam. While there are no official statistics, the U.S. government estimates 65 percent of the population is Sunni and 35 percent Zaydi. The humanitarian situation analysis NGO ACAPS estimates 55 percent of Muslims are Shafai Sunni and 45 percent are Zaydi Shia. Hindus, Baha'is, Christians (many of whom are economic migrants), and Jews together comprise less than 1 percent of the population.

There is no firm estimate of the number of persons of Indian origin or of those who practice Hinduism, Sikhism, or the Dawoodi Bohra variant of Ismaili Shia Islam residing in the country. The pre-conflict Hindu population was 150,000 (2010 estimate), concentrated in Aden, Mukalla, Shihr, Lahaj, Mokha, and Hudaydah. Many members of the Indian-origin community have resided in the country for generations and hold Yemeni citizenship. According to one source, the current number of Indian nationals is fewer than 3,000.

According to a Baha'i Faith spokesperson, the Baha'i Faith community has as many as 2,000 members (2016 estimate). Christian groups include Roman Catholics and Anglicans. According to the UN Group of Experts, many Ethiopian and Eritrean Christian economic migrants transit the country on their way to find work in Saudi Arabia, causing the total number of Christians in the country at any given time to fluctuate. Open Doors estimates there are a few thousand Christians in the country, 95 percent of whom are converts from Islam. The Jewish community is an indigenous non-Muslim minority religious group. Reports estimate that four to six Jews remained in the country at year's end.

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.

Sharia serves as the basis of the legal system, although it coexists with secular common law and civil code models of law in a hybrid 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 that the President must be a Muslim who “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 that “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 and 30 days to repent; upon repentance, they are spared the death penalty.

Blasphemy laws prohibit the “ridicule” of religions, punishable with up to three years’ imprisonment or a fine of unspecified amount. If Islam is the religion subject to ridicule, the punishment is up to five years or a fine of unspecified amount. The criminal code prescribes five years’ imprisonment or a fine to anyone who “distorts willfully the Holy Quran in a manner that changes its meaning with the purpose of harming the natural religion.”

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 recognized by law (Islam, Christianity, or Judaism). By law, a woman seeking custody of a child “ought not” be an apostate; a man “ought” to be of the same faith as the child.

The law prohibits proselytizing directed at Muslims.

There is no provision for the registration of religious groups.

The law prohibits NGO involvement in political or religious activities.

By law, the government must authorize construction of any new buildings. The law, however, does not mention places of worship specifically. The law criminalizes “assaulting the sanctity of faith” and prescribes up to one year’s imprisonment or a fine of up to 2,000 rials (\$3) to a person who “destroys or misrepresents or profanes a mosque” or other government-authorized religious site or disrupts religious rituals.

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 beliefs as an objective of secondary education. Public schools are required to teach Sunni and Shia students the same curriculum, but the government is unable to enforce this requirement in Houthi-controlled areas, where instructional materials indicate schools are teaching Zaydi principles only and the Houthis have been systematically changing the curriculum to reflect their ideology.

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

Government Practices

The conflict that began in 2014 between the government, led by President Hadi, and Ansar Allah, a Zaydi Shia movement more commonly known as the Houthis, continued throughout the year. The government exercised limited legal or administrative control in much of the country’s territory throughout the year, which constrained its ability to enforce laws or address abuses of religious liberty committed by government or nonstate actors in areas not under its control.

Analysts stated that Houthi Zaydism was distinct from the Twelver Islam dominant in Iran, although both were generally considered to fall within the broad category of Shia Islam. Some analysts stated political and economic issues were more significant drivers of the conflict than religion.

A September UN Group of Experts report titled *Situation of human rights in Yemen including violations and abuses since September 2014*, which covered the period July 2020 to June 2021, reported investigations of accusations that all parties to the conflict had carried out forced disappearances, unlawful detentions, and/or torture of members of religious minority groups “to punish them for their

religious beliefs.” The report did not provide specific examples of how the government engaged in these abuses.

On October 12, UAE-based Islamic scholar Ali al-Jifri reported on social media that unidentified gunmen kidnapped religious scholar Taher al-Attas outside his home in Tarim City as he returned from dawn prayers. The author of the post blamed the government, specifically the leadership of the First Military Region.

According to Open Doors, Christians were generally associated with the West and were therefore expected to have access to funds. The NGO stated, “For this reason, prison guards have sometimes held Christians longer in exchange for money.”

The government publicly condemned Houthi persecution of minority religious groups. In January, Minister of Information, Culture, and Tourism Muammar al-Eryani wrote on Twitter, “Iranian-backed Houthi militia continues to prosecute minorities in [the] illegal trial for 24 Baha’i community, including six of their leaders deported outside Yemen after detention and looting of their assets in flagrant violation of int[ernationa]l humanitarian law.” In April, he issued a statement through the government’s official news outlet *Saba* condemning Houthi persecution of Jews and Baha’is. In August, al-Eryani wrote, “Members of the Baha’i sect have been subjected to organized terrorism by Houthi militia,” and told *Saba* the government condemned the Houthis for forcing out the last three Jewish families from the country and for the continued detention of Marhabi. He also accused the Houthis of undermining the country’s social fabric and traditional values of coexistence.

Abuses by Foreign Forces or Nonstate Actors

Houthis and officials residing in Houthi-controlled areas representing a faction of the largest secular political party, the General People’s Congress, jointly established the Supreme Political Council in 2016. The Supreme Political Council is a 10-member entity that purports to establish and determine a governing structure for the country under the Houthi-led regime in Sana’a. The government and the international community have deemed the Supreme Political Council unconstitutional and illegitimate, and the international community continues to recognize the government, led by President Hadi.

At year’s end, the Houthis continued to control approximately one-third of the country, containing 70 to 80 percent of the population. In areas they controlled,

the Houthis enforced a strict, doctrinal regimen based on Zaydism and discriminated against individuals who did not follow those practices, particularly religious minorities.

The government and Human Rights Watch attributed to the Houthis an October 31 missile attack on the Sunni-dominated Sheikh al-Hajouri Mosque and Center in Juba District, Ma'rib Governorate. The strike killed and wounded dozens, but no party claimed responsibility. Information Minister al-Eryani condemned the attack as a “horrific massacre” of civilians committed by the Houthis.

The Yemeni Coalition for Monitoring Human Rights Violations report *Ma'rib: Civilians between Shelling and Mines*, covering the period December 2014 to June 2021, stated the Houthis attacked a mosque on June 10, as well as an adjacent women's prison in the al-Mujama'a neighborhood that belonged to the Ma'rib Police Department. The organization said two ballistic missiles and two armed drones struck during prayer time and killed 11 civilians, including a child, and wounded 24 others.

In October, the Australia-based anti-capital punishment organization Eleos Justice released a video of Baha'i leader Hamed Kamal bin Haydara, who described torture and “systematic and silent extermination” of Baha'is in the Houthi-controlled parts of the country. The Houthis detained Haydara in 2013, charged him with apostasy and espionage in 2015, sentenced him to death in 2018, and released but exiled him from the country in 2020.

In February, the Baha'i Faith International Community released a statement that said the Houthis continued to “intimidate and endanger the lives of Baha'is” and used baseless charges to seize their property. The statement indicated there were 19 Baha'is who continued to face the dilemma of either appearing in Houthi “court” to face false charges and unjust imprisonment or risk the Houthis branding them as “fugitives.” The September UN Group of Experts report stated the Houthis had seized and frozen the assets of 70 Baha'i Faith community members in the July 2020 to June 2021 period.

The *Christian Post* reported in March that the president of Open Doors stated the Houthis detained Christians and tortured pastors. According to the *Christian Post*, prisoners released from Houthi detention centers said Houthis targeted individuals suspected of being Christian. Media reported in November that the Houthis exiled Mushir al-Khalidi after detaining him for four years. Houthi intelligence services

reportedly held Khalidi, who had converted to Christianity, and other Christians in solitary confinement and forced them to renounce their religious beliefs.

Media and Yemeni NGO Mwatana for Human Rights reported that the Houthis continued to detain Levi Salem Musa Marhabi, a Yemeni Jew whom they had held since 2016 for allegedly helping to remove an ancient Torah scroll from the country, despite a Houthi “court” decision in 2019 to release him. The Houthis continued to demand the return of the scroll from Israel.

On March 29, the *Jerusalem Post* reported the Houthis forced the last three Jewish families out of the country, leaving behind only four elderly Jewish residents. The European Jewish Congress said the families’ departure left six Jews remaining in the country, including Marhabi. According to the *Jerusalem Post*, the Houthis reneged on their commitment to release Marhabi if these families departed the country.

ACAPS reported in November that the Houthis repressed non-Zaydi religious practices by imposing “taxes” and Zaydi norms on religious celebrations, including during weddings, at Salafi centers, and for Tarawih prayers conducted during Ramadan, and maintained a mandatory 20 percent charitable “tax” (*zakat*) on economic activities.

The U.S.-based Armed Conflict Location & Event Data Project recorded 61 incidents of religious repression involving pro-Houthi forces from January to March. The incidents involved unspecified targeting of religious leaders, changing educational curricula, and issuing “decrees” and “regulations” to impose Houthi ideology.

Media outlet *al-Monitor* reported that Houthi leadership designated 34 public squares in Sana’a in which individuals could gather on July 28 to celebrate Eid al-Ghadir, commemorating the occasion when, according to Shia beliefs, the Prophet Muhammad designated his son-in-law Ali as his successor. Houthi leader Abdulmalik al-Houthi gave a two-hour televised speech commemorating Eid al-Ghadir. According to *al-Monitor*, Yemenis did not celebrate this festival prior to the Houthis’ taking control of parts of the country. Ahmed Atia, former minister of Endowments and Guidance in the internationally recognized government, said in a televised interview that the Houthis exploited Eid al-Ghadir to manipulate the population to accept Houthi authority.

Arab News reported on August 17 that the Houthis used financial incentives to recruit children for camps where they were taught that “true Islam” consisted of loyalty to the Houthis and hating the United States and Israel. Parents of those children said they were afraid to speak out against the Houthis for fear of reprisals.

On April 15, *Arab News* quoted the assessment by the Israeli-based NGO Institute for Monitoring Peace and Cultural Tolerance in School Education that the Houthis’ changes to textbooks were a “blueprint” for radicalization and would incite violence and hate. The CEO of the institute told U.S.-based media outlet *Forward* that antisemitic rhetoric was “persistent” in Houthi education. He said, “Jews are subject to such a disproportionate focus, as unique enemies of Yemen, the people of Yemen, and of Islam.”

The ninth periodic report of the government’s National Commission to Investigate Alleged Violations to Human Rights, released in August, stated that in February, Houthi “officials” from the Endowments and Guidance Office of Sana’a demolished the historic al-Nahrain Mosque in the Old City of Sana’a under the pretext of preserving “faith identity.”

The UN Group of Experts reported in September that Abdulmalik al-Houthi had incited violence and discrimination against the Baha’i Faith and Jewish communities and other religious minorities by saying in March that these groups “don’t want to coexist.... They want to take away the sovereignty of Islam.”

The UN Panel of Experts reported that Abdulmalik al-Houthi demonstrated support for systemic persecution of religious minorities when he accused a western country “of seeking to establish Baha’i, Ahmadiyya, and atheism in Yemen in order to undermine Islam.”

Multiple media outlets throughout the year reported that the Houthis continued to use the antisemitic slogan, “Allah is greater, death to America, death to Israel, curse the Jews, victory to Islam.” The Panel of Experts stated children in Houthi summer camps were instructed to shout this slogan. In April, a video appeared on social media showing a large group of Houthi militiamen giving the Nazi salute while chanting the aforementioned slogan. Houthi-controlled media broadcast antisemitic statements and sermons. For example, media broadcast a Friday sermon on June 11 during which an unnamed imam from the Houthi “Oil Ministry” said Jews and their allies were among the “worshippers of the cross,” the “tyrants of the White House,” and the “Gulf camels” that were uniting to commit genocide against “the people of faith, wisdom, resistance, and steadfastness.” On

May 4, Houthi Islamic scholar Ibrahim al-Ubeidi said on Houthi-controlled television that COVID-19 was a manmade disease produced by “America, the Great Satan that spreads corruption upon the land by means of the Zionist lobby,” that the virus was a “very dangerous Jewish-Satanic goal,” and that “they vaccinated us in order to control us.”

In northern areas under Houthi control, there were reports of continued Houthi efforts to impose their religious customs on non-Zaydi residents, including banning music, requiring women to wear full veils, and prohibiting the mixing of genders in cafes unless couples had children or carried a marriage certificate.

Open Doors reported that Islamic terrorist groups such as AQAP and ISIS-Y oppressed local Christians, including Christian converts, whom they viewed as apostates, including by prohibiting worship activities and the observance of rituals such as baptism. Open Doors said these groups operated with considerable impunity, “especially in Hadi-government-aligned areas.” According to a July UN report, AQAP was “well established in the central and eastern provinces” and was active in Shabwah, Abyan, and Bayda Governorates, while ISIS-Y’s presence in the country was in decline. The United Nations in 2020 stated ISIS-Y was active in Bayda and Dali Governorates.

Section III. Status of Societal Respect for Religious Freedom

Open Doors said pressure on Christians in all spheres of life, including education, employment, family life, and the ability to observe religious practices, was “at an extreme level.”

Open Doors reported that during the ongoing humanitarian crisis, Christians in both government-controlled and Houthi-controlled areas were particularly vulnerable because local Islamic leaders and mosques that distribute emergency assistance discriminated against non-Muslims. The organization also reported that hospitals refused care to Christians. Open Doors reported that Muslims who converted to Christianity were considered to have brought dishonor upon their families; they faced death threats and risked banishment from their tribes if they did not return to Islam. The NGO said Christian women experienced sexual harassment, rape, or forced marriage to a Muslim spouse.

Due to the conflict, there was no way to ascertain the status of the country’s minority Ismaili Muslim community.

Section IV. U.S. Government Policy and Engagement

The Department of State suspended U.S. embassy operations in Sana'a in 2015 and diplomatic operations related to Yemen have since been coordinated by the YAU, based in Saudi Arabia. Due to security concerns arising from the conflict, the U.S. government had limited to no access to religious communities in the country during the year. The U.S. government continued to engage with representatives of religious communities in the Yemeni diaspora and to closely monitor the conditions of religious minority detainees and to press for their release. It also condemned Houthi attacks impacting civilian targets and infrastructure. In October and November, the U.S. Special Envoy for Yemen spoke with foreign government officials, civil society organizations, and religious leaders regarding the ongoing detention of Levi Salem Musa Marhabi. The YAU also promoted religious freedom through social media. For example, the YAU posted on Twitter a July 29 message from the Secretary of State in which he said, "Religious freedom is a key element of an open and stable society. Without it, people aren't able to make their fullest contribution to their country's success."