

YEMEN 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The current constitution does not specifically protect religious freedom, while other laws, policies, and government practices restrict it. The constitution declares that Islam is the state religion and sharia (Islamic law) is the source of all legislation. Elected officials, other than the president, may be non-Muslims. The constitution generally allows Muslims of different groups and followers of religious groups other than Islam to worship according to their beliefs. However, the government prohibits conversion from Islam and efforts to proselytize Muslims. The transitional government under which former president Saleh left office took steps towards establishing new mechanisms to defend religious diversity. Within the National Dialogue Conference, an inclusive framework for deliberating a broad range of issues related to Yemen's political future, the government established the Rights and Freedoms Working Group to develop recommendations for provisions in a future constitution and bylaws. The working group's recommendations include measures to protect against religious discrimination, greater safeguards for religious minorities, decriminalization of blasphemy, and new academic curricula designed to promote respect for other religions. During the year terrorist groups, including al-Qaida in the Arabian Peninsula (AQAP), continued to carry out terrorist attacks throughout the country, characterizing their actions as warfare against apostates.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Leading Salafi religious figures used accusations of apostasy to target political activists, journalists, bloggers, academics, and human rights defenders. Despite a historically amicable relationship between the Zaydi-Shia and Shafi-Sunni communities, sectarian rhetoric weakened inter-communal trust. Moreover, aggressive expansion strategies on the part of both Sunni and Zaydi-Shia Muslim groups fueled inter-sectarian tensions and conflict which escalated in the northern governorate of Sa'ada and the surrounding governorates at the end of the year, resulting in more than 300 deaths in Sa'ada, Kitaf, Amran, and other areas of conflict.

Embassy and other U.S. officials routinely discussed religious freedom issues with the government and civil society. The embassy also continued to support interfaith dialogue outreach, including sending religious leaders to the United States through exchange programs to broaden interfaith understanding and promote societal support for religious freedom. The embassy continued programs aimed at

YEMEN

expanding outreach to local religious leaders. Efforts included English language scholarships for religious leaders and facilitating mosque visits and meetings with local imams for official U.S. visitors. The aim was to open channels of dialogue to promote freedom of religion and societal tolerance for religious diversity.

Section I. Religious Demography

The U.S. government estimates the total population at 25.4 million (July 2013 estimate). Most citizens are Muslim, belonging either to the Zaydi order of Shia Islam or the Shafi order of Sunni Islam. While there are no official statistics, 35 percent of the population is estimated to be Shia and 65 percent is estimated to be Sunni. There are a few thousand Ismaili Muslims concentrated in the Haraz district near Sana'a, an unknown number of Twelver Shia who reside mainly in the north, and an indeterminate number of Sufis. Groups comprising less than .05 percent of the population include Jews, Bahais, Hindus, and Christians, many of whom are refugees or temporary foreign residents. Christian groups include Roman Catholics and Anglicans. The once-sizable Jewish community is the only indigenous non-Muslim minority religious group. The few Jews remaining after decades of emigration to Israel live mainly in Sana'a and the Rayda district in the Amran Governorate.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies generally restrict religious freedom. The constitution declares that Islam is the state religion and that Islamic law is the source of all legislation. Local interpretation of Islamic law serves as a basis for all law, although Islamic jurisprudence coexists with secular common law and civil code models in a hybrid legal system.

The government prohibits proselytizing directed at Muslims. The law punishes public "ridicule" of any religion, and the maximum sentence is higher if the ridiculed religion is Islam. Denouncing Islam or converting from Islam to another religion is considered apostasy, which is a capital offense, although the government does not enforce the death penalty. The law allows those charged with apostasy three opportunities to repent, which absolves them from the death penalty. Family law prohibits marriage between a Muslim and an apostate. By law apostates have no parental or child-custody rights.

YEMEN

A non-Muslim can run for parliament, although the constitution restricts candidates for president to those who practice their “Islamic duties.” The law does not prohibit political parties based on religion, but states that parties cannot claim to be the sole representative of any religion, be against Islam, or restrict membership to a particular religious group.

The government does not maintain records of an individual’s religious identity. Religious groups are not required to register with the state. Government officials state that such records are not kept in order to avoid sparking sectarian rivalries.

Some local customs, codified in various laws and policies, discriminate against women and persons of non-Muslim religious groups. By law Muslim women may not marry non-Muslims. Muslim men may not marry women who are not Muslim, Jewish, or Christian, or women who have renounced Islam.

The government must authorize construction of new places of worship, including mosques.

Followers of other religious groups are free to worship according to their beliefs and to wear religiously distinctive ornaments and dress.

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

Government Practices

Yemen’s transitional government eased restrictions on various religious practices during the year.

Members of the Zaydi Shia community, however, continued to report government harassment and discrimination, including detention, based on allegations of sympathizing with the Ansar Allah, the self-described political arm of the Houthi movement. Zaydi activists also reported that the authorities released some detainees, but held others, either because of their religious affiliation or connections to sectarian fighting. The government said it detained these individuals only on the basis of their violent activities. In June security services clashed with Ansar Allah activists who demonstrated outside the National Security Bureau, demanding the release of political prisoners.

YEMEN

Although there were no specific reports of forced religious conversion, Zaydi community advocates alleged that some Zaydi soldiers reported significant pressure to convert to Sunni Islam while in the military.

Under former president Saleh, public commemorations of the Shia holy days Ashura and Ghadir were banned. Since 2011, small scale commemorations have taken place around the country, and, at times, have led to localized attacks from Sunnis.

The transitional government also eased restrictions on other Zaydi religious practices. According to Zaydi leaders, the government ceased to ban or restrict materials espousing Zaydi doctrine, a common practice in previous years. The government approved permits for Zaydi libraries and book clubs. Some Zaydi leaders alleged there was a government effort to insert Salafi traditions, mosques, and imams into traditionally Zaydi regions, but government policies generally did not interfere with Zaydi religious expression.

The government continued efforts to close unlicensed schools and religious centers, expressing concern that they deviated from formal educational requirements and promoted militant ideology. The participation of the moderate Islamist Islah political party in the government eased pressure on Islamist institutions, although the Ministry of Religious Endowments reportedly continued to evaluate these schools and close those deemed to be a potential security threat. The government did not maintain strong oversight over curriculum and instruction at Salafi schools or those in Houthi-controlled areas in the north.

Customs and Ministry of Culture officials occasionally confiscated foreign publications after determining they were “religiously objectionable.” Citing security concerns, the government continued to restrict and intermittently block access to some internet forums and blogs where religious views and opinions were openly exchanged and shared.

The national political dialogue distinguished between inclusion of Jews as citizens and opposition to Israeli policies. Security guards occasionally restricted individuals from visiting Jewish residents in Tourist City, a Sana’a housing development. It was not clear whether government policy directed the restriction.

Roman Catholic, Protestant, and Ethiopian Orthodox Christian weekly religious services took place without government interference throughout Sana’a, Aden, and other cities. The government permitted the use of some of the existing church

YEMEN

buildings and issued residence visas to Roman Catholic priests and nuns. Throughout the country, Christians and Jews held services regularly in private homes or facilities such as schools without harassment, and these facilities appeared adequate to accommodate the small numbers of attendees. There were some complaints by human rights advocates that Christian refugees from other countries felt the need to change their names to avoid harassment by Muslim Yemenis, and that some Christian churches met “underground” to avoid drawing attention to themselves.

The General People’s Congress party did not exclude adherents of any religion from its membership. The Islamist Islah party, the dominant member of the Joint Meetings Party (JMP) coalition, required that a member be “committed” to Islamic teachings. The JMP itself did not impose a religious test. Al-Rashad, the country’s Salafi political party, required members to support its Islamist platform. Members of the small al-Haq and al-Umma parties represented adherents of Zaydi Islam. There were other minor political parties said to be Islamist in nature, although it was not clear if they restricted their membership to Muslims.

The government continued to pursue policies designed to curb extremism and increase religious tolerance. For example, within the framework of the National Dialogue Conference, the government established the Rights and Freedoms Working Group tasked with developing recommendations for improving mechanisms to defend personal freedoms, including freedom of religion. The group’s formal recommendations for future legislation and policies included measures to protect against religious discrimination, greater safeguards for religious minorities, and decriminalization of blasphemy. The group’s official report advocated inclusion of these measures in the new constitution (scheduled to be drafted in 2014) as well as future bylaws. The group also proposed developing new academic curricula designed to promote respect for other religions.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

Terrorist groups, including AQAP, regularly carried out attacks against government representatives and installations, members of the Southern Mobility Movement (Hirak), and other individuals accused of “immoral” behavior. Jihadist websites characterized such actions as “warfare against apostates.” For example, throughout the year, the media reported several murder cases allegedly involving al-Qaida gunmen who shot at least five men in Huta after accusing them of apostasy and homosexuality.

YEMEN

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice.

Radical religious leaders evoked *takfir* – the practice of one Muslim declaring another Muslim to be an apostate – to target political activists, journalists, bloggers, academics, and human rights defenders. In April a radical cleric declared a law school student from Taizz an apostate for organizing a seminar on women’s empowerment. Media reports also allege that the same month, Ahmed al-Arami, a professor of literature and arts, received death threats for promoting “secularist” literature. In July the office of Abdul Majeed al-Zindani, an influential cleric, released a statement naming 37 members of the National Dialogue Conference and accusing these individuals of “fighting Islam” and characterizing them as “enemies of Islam.”

Politically motivated usage of sectarian rhetoric and propagation of Salafi-Sunni Islam fueled inter-sectarian tensions and conflict. Members of the Houthi movement continued a long-running, low-level conflict with Salafis, especially in the Sa’ada Governorate and parts of neighboring al-Jawf Governorate, which escalated substantially toward the end of the year. Throughout the year the Sa’ada Houthi community demanded that the Salafis from the Dammaj Institute – a center of Salafi teaching, where students and their family members live, study, and allegedly participate in military training – give up their weapons and expel foreign students. The conflict escalated into a localized battle and partial blockades late in the year. Up to 200 individuals were killed, and Salafis called for “jihad to protect Dammaj” and the use of sectarian language became more prevalent. Moreover, Salafis and Houthis each charged the other with inserting traditions or blocking traditions in mosques, sometimes leading to conflict. Clashes occurred in August, when a group of Sunni worshipers insisted on performing *Taraweeh* prayers (additional prayers predominantly identified with Sunni Islam) in a Zaydi mosque in Sana’a.

Salafis based in Sa’ada accused Houthis of conducting raids against local residents and well known Sunni places of worship or study. The Salafis and other Sunni residents of the area called on the government to intervene. According to media reports in July, contests between Sunni Salafists and Zaydi Shia over control of two mosques in the capital led to fighting in which knives were used and to a bomb attack that wounded five people.

YEMEN

A resurgence of Houthi-supported Shia celebrations, especially in Sana'a, occasionally led to clashes with Sunnis.

Although criticism of Israeli actions appeared in mainstream media, anti-Semitic print material was rare. Ansar Allah supporters frequently staged large-scale protests condemning Israeli policies.

Section IV. U.S. Government Policy

The U.S. embassy and other U.S. officials engaged in efforts to increase religious freedom through programs designed to promote religious tolerance and productive dialogue among religious groups. In response to an observed drift toward sectarianism in the north and increasingly in Sana'a, particularly between Salafis and Houthis, the embassy pressed the dominant political parties to avoid sectarian rhetoric and to encourage respect for the country's long history of tolerance.

The U.S. embassy maintained good working relationships with government officials responsible for religious affairs, as well as with leaders of religious and interfaith groups, and organized events that included discussions on the importance of religious tolerance. The Ambassador's outreach to representatives of religious minorities also included meetings with local and visiting envoys of the Roman Catholic Church. The embassy raised with senior government officials the importance of ensuring that Jewish residents were able to meet guests without any government-imposed restrictions.

In March a U.S. government-sponsored program sent a number of Yemeni imams to the United States in the first of several planned group visits on interfaith dialogue. The imams who participated had no previous experience with religious diversity, spoke no English, and had little or no previous contact with Westerners. Their activities in the United States included visiting churches, temples, and other religious institutions, meeting religious leaders, and attending "family dinners" at the homes of U.S. volunteers. This provided an opportunity for the imams to learn about religious diversity in the United States and to counter preconceived notions about American society and culture. In June the embassy completed a multi-year project to renovate the historic Aden minaret, originally part of the eighth century Minara mosque, built during a period of religious and cultural enlightenment and diversity.