

YEMEN

The constitution and other laws and policies neither protect nor restrict religious freedom; however, the government's application of laws and policies led to restrictions on the freedom of religion. The constitution declares that Islam is the state religion and Sharia (Islamic law) is the source of all legislation. The constitution generally allows Muslims 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 government generally respected religious freedom in law; however, in some instances religious freedom was not respected in practice. 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, many of the 1,000 Jewish residents of Amran Governorate have left the country.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Reports of societal abuses and discrimination increased between adherents of Shia and Sunni Islam. The rapid spread of Salafi-Sunni Islam in traditionally Zaydi-Shia areas of the country, and the increasing religious and political radicalization of the Zaydi-Shia 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-Shia and Shaf'i-Sunni communities, the country's two predominant Islamic sects. The ongoing, unresolved conflict in Saada Governorate and violence between tribal groups acting as proxies for 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 23.5 million. Most citizens are Muslims, officially belonging to either the Zaydi order of Shia Islam or the Shaf'i order of Sunni Islam. While there are no available statistics, Zaydis make up an estimated 45 percent, and Shaf'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 as well as an unknown number of Ja'fari (Twelver) Shia who reside mainly in the north. There are reportedly 150 Bahais, and a significant but indeterminate number of Sufis.

Jews are the only indigenous non-Muslim religious minority. Nearly all of the once sizable Jewish population emigrated following the establishment of the state of Israel. Approximately 300 Jews remain in Amran Governorate in the north of the country, although precise figures are difficult to ascertain. Rising societal tensions, and the government's lack of resources and capacity to protect this group adequately from increased threats in late 2008 and early 2009, led to increased emigration of the community. During the reporting period, emigration of the Jewish population from Amran slowed. Since January 2007 the historic Saada Governorate's community of 68 Jews has lived in Sanaa 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. The community now resides in an area near the U.S. embassy in Sanaa and is integrated into the local community. 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

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies do not protect or inhibit freedom of religion generally; however, some applications of laws and policies have led to the restriction of residents' 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, although Islamic jurisprudence coexists with secular common law and civil code models in a hybrid legal system. While Islamic law forbids conversion and prohibits efforts to proselytize Muslims, this provision is not explicitly incorporated into the law, and the government enforces this prohibition infrequently. Followers of religious groups other than Islam were free to worship according to their beliefs and wear religiously distinctive ornaments and dress.

Non-Muslims are 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 did not maintain records of an individual's religious identity, and no law required religious groups to register with the state. Government officials stated that such records are not kept in order to avoid sparking sectarian rivalries.

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

The government issued residence visas to Roman Catholic 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 did not teach Islam. Almost all non-Muslim students were foreigners and attended private schools.

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

Restrictions on Religious Freedom

The government selectively enforced legal and policy 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 as of the end of the reporting period. Low-level hostilities between the Houthis and the government's tribal proxies continued.

The government maintained that the Houthis are adherents of Twelver Shiism, a variant of Shiism that differs from that of the country's predominant Zaydi Shia. Houthi leaders generally denied the allegation, claiming to be Zaydi Shia. 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. The government denied this, claiming that individuals were detained for violent activities. It appeared the government's actions against the group were politically, not religiously, motivated.

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

Government actions to counter an increase in political violence in Saada restricted some religious practices. During the reporting period, government officials reportedly continued 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. Human rights groups also reported that the government shifted prayer times in some mosques from times in which Zaydis traditionally practiced to those observed by Salafis. The government continued to close what it claimed to be extremist Shia religious institutes, reassigned imams it deemed to have espoused radical doctrine, and continued to monitor mosque sermons. Local human rights nongovernmental organizations (NGOs) reported that the government replaced Zaydi imams with Sunni (including Salafi) imams in mosques throughout northern Yemen, including the capital of Sanaa. Some Zaydi leaders claimed that elements in the government

were engaged in a concerted effort to insert Salafi traditions, mosques, and imams into traditionally Zaydi regions.

Weekly services for Roman Catholic, Protestant, and Ethiopian Orthodox Christians were held throughout Sanaa, 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 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 religious tolerance. The government's efforts concentrated on monitoring mosques for sermons that incited violence or espoused political statements 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.

According to human rights groups, the Ministry of Culture and the Political Security Organizations (PSO) monitored and sometimes removed from stores printed materials that espoused Zaydi-Shia doctrine. There were also reports from Zaydi scholars and politicians that authorities continued to ban the publishing of some materials that promoted Zaydi-Shia Islam.

The government did not allow the building of new public places of worship without previous authorization.

In exchange for confiscated property expropriated by the pre-1990 communist government, the Catholic Church requested from the government a small plot of land in Sanaa on which to build a Catholic establishment. At the end of the reporting period the church was still awaiting formal authorization on the request, initiated in 2007.

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. No one was charged with proselytizing or apostasy during the reporting period.

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 foreign individuals in possession of amounts of non-Islamic religious materials deemed too large for personal use were expelled from the country, ostensibly to prevent proselytizing.

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 reportedly continued the process of evaluating these schools and closing those deemed to be potentially contributing to a security threat. The government prohibited some private and national schools from teaching courses outside the officially approved curriculum, ostensibly to curb ideological and violent extremism and intolerance in schools. Human rights organizations reported, and the government denied, that the ministry distributed grade-school textbooks that described the Zaydi manner of prayer as incorrect.

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

Muslim women are not permitted to marry non-Muslims. 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 reports of abuses of religious freedom in the country.

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

In May the government reportedly attempted to expel a reputable international NGO from the country because one of its employees was allegedly distributing Bibles in Aden. The government presented an ultimatum to the NGO to suspend its projects within three months and for its staff to leave the country within 45 days of receiving the order. Despite discussions between government officials and representatives of the international community, the issue was not resolved by the end of the reporting period. The NGO has since ceased its activities in the country, and its staff has departed the country.

In August 2009 the National Security Bureau arrested UN employee Walid Sharafuddin along with Mumar al-Abdali, Sadiq al-Sharafi, and Abdullah al-Dailami on charges of supporting the Houthi insurrection and spying for Iran. They were held incommunicado for four months before being transferred to the PSO. The detainees were brought before a specialized national security court in October 2010. Human rights groups and the family of the defendants asserted that the defendants were detained because they are Twelver Shia, and the charges against them were false. The defendants remained in custody at the end of the reporting period.

In June 2008 according to independent reports, police arrested seven Bahais (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 Sanaa. 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 Sanaa 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.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

On November 24 a suicide bomber attacked a group of Zaydis in the Jawf Governorate during celebrations of a Shia holiday, killing 21. On November 26 a second suicide bomber attacked a funeral procession for a prominent Houthi leader, leaving two dead and eight wounded. Al-Qaeda in the Arabian Peninsula claimed responsibility for the attacks, claiming that Shia were apostates and thus legitimate targets.

In June 2009 nine foreign workers 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 violent extremists may have targeted the foreigners because of rumors that they were Christian missionaries proselytizing in Saada.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of increased societal abuses and discrimination based on religious affiliation, belief, or practice between adherents of Shia and Sunni Islam. The rapid spread of Salafi-Sunni Islam in traditionally Zaydi-Shia areas of the country and the increasing religious and political radicalization of the Zaydi-Shia 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-Shia and Sunni communities, the country's two historically 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 that this represented a larger trend in violence between the two groups.

The Jewish community in Amran Governorate did not report societal abuses and discrimination based on religious affiliation, belief, or practice.

In October two packages containing explosives were sent as cargo on an airplane from the country addressed to former synagogues in the United States; Al Qaida in the Arabian Peninsula took credit for the mailing.

During the year a cleric resident in the country blogged and released online videos that included the vilification of Jews. According to a foreign NGO, in at least one video, he claimed that Jews had "a hidden agenda" and had infiltrated every government in the world.

A December 19 cartoon in the newspaper *Al-Jamhurriya* represented a stereotypic individual wearing a hat with a Star of David and sucking on a straw, the caption of which read "Jew sucks dry Palestinian identity."

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 societal 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. 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. The remainder of the displaced Saada Jewish community continued to reside in Sanaa, under government protection, after being threatened by Houthi rebels in 2007.

Muslim clergy, some of whom receive salaries from the Ministry of Religious Endowments, 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. government engages in efforts to increase religious tolerance in the country through the Interfaith Dialogue and Religious Leaders programs. The Interfaith Dialogue is a regional International

Visitor Leadership project designed to promote tolerance of religious diversity and productive dialogue among religious groups as key principles in building and maintaining free, stable, and democratic societies. This program is designed to examine religion in the United States, the various roles religious leaders play in their respective communities, and the importance of the promotion of dialogue and teaching of tolerance. The Religious Leaders Program is designed to train religious leaders in skills to create a thriving network of key communicators that can disseminate messages pertaining to religious tolerance, as well as health, youth empowerment, education, conflict resolution, and other critical subjects in the country.

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, Bahai, Zaydi, and Shaf'i communities.

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