

# UNIVERSAL PERIODIC REVIEW 2009

## YEMEN

NGO: European Centre for Law and Justice  
4, Quai Koch 67000 Strasbourg France

### RELIGIOUS FREEDOM IN THE REPUBLIC OF YEMEN

#### SECTION 1: *Legal Framework*

##### **I. Yemeni Constitutional Provisions**

The Constitution of the Republic of Yemen contains no provisions concerning religious freedom.<sup>1</sup> The constitution, however, declares that the Republic is “an Arab, Islamic and independent sovereign state.”<sup>2</sup> Furthermore, the constitution declares Islam as the state religion<sup>3</sup> and “Islamic Shari’ah as the source for all legislation.”<sup>4</sup>

The Yemeni Constitution prohibits non-Muslims from holding certain elected offices.<sup>5</sup> For example, the constitution requires the President to “practice his Islamic duties.”<sup>6</sup> This requirement effectively excludes all non-Muslims from the Presidential office. Similarly, after the ruling party tried to put forward a Jewish parliamentary candidate, the General Election Committee adopted a policy barring all non-Muslims from running for Parliament.<sup>7</sup>

Although the Yemeni Constitution provides no explicit protection for religious freedom, Yemen has signed onto several key international legal documents. Article 6 of the Yemeni Constitution affirms the Republic’s “adherence to the UN Charter, the International Declaration of Human Rights, the Charter of the Arab League, and dogma of international law which are generally recognized.”<sup>8</sup> Furthermore, Yemen ratified the International Covenant on Civil and Political Rights (ICCPR) on February 9, 1987.<sup>9</sup> Article 18 of the ICCPR states that “[e]veryone shall have the right to freedom of thought, conscience and religion.”<sup>10</sup> This right shall include freedom to have or to adopt a religion or belief of his choice . . . .”<sup>11</sup> It also states that “[n]o one shall be subject to coercion which would impair his freedom to have or to adopt a religion . . . of his choice.”<sup>12</sup> Article 19 states that “[e]veryone shall have the right to freedom of expression.”<sup>13</sup>

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<sup>1</sup> U.S. Dep’t of State, Bureau of Democracy, Human Rights and Labor, *Int’l Religious Freedom Report 2008 Yemen* (Sept. 19, 2008) [hereinafter, *2008 Religious Freedom Report*], available at <http://www.state.gov/g/drl/rls/irf/2008/108496.htm>.

<sup>2</sup> CONST. OF THE REPUBLIC OF YEMEN, chapter I, art. 1.

<sup>3</sup> CONST. OF THE REPUBLIC OF YEMEN, chapter I, art. 2.

<sup>4</sup> CONST. OF THE REPUBLIC OF YEMEN, chapter I, art. 3.

<sup>5</sup> *2008 Religious Freedom Report*, *supra* note 1.

<sup>6</sup> CONST. OF THE REPUBLIC OF YEMEN, chapter II, art. 106(d). “To be of good character, practi[c]e his Islamic duties and have no dishonorable criminal record and if so, he has been reprieved.” *Id.*

<sup>7</sup> U.S. Dep’t of State, Bureau of Democracy, Human Rights and Labor, *Int’l Religious Freedom Report 2006 Yemen* (Sept. 15, 2006) [hereinafter, *2006 Religious Freedom Report*], available at <http://www.state.gov/g/drl/rls/irf/2006/71436.htm>.

<sup>8</sup> CONST. OF THE REPUBLIC OF YEMEN, chapter I, art. 6, available at <http://www.al-bab.com/yemen/gov/con94.htm>.

<sup>9</sup> International Covenant on Civil and Political Rights, *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), U.N. Doc. A/6316 (*entered into force* Mar. 23, 1976), available at <http://www2.ohchr.org/english/law/ccpr.htm>.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* art. 18(2).

Article 26 states that “[a]ll persons are equal before the law and are entitled without any discrimination to the equal protection of the law. . . . [which] shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, . . . religion . . . or other status.”<sup>14</sup>

While the Republic of Yemen purportedly supports the freedom of creed and conscience, it “holds that to change one’s religion and to proclaim such change would be to create discord that would be highly detrimental to social stability and security.”<sup>15</sup> The U.N. Human Rights Committee has repeatedly reiterated its concern for the prohibition of Muslims converting to another religion, in the name of social stability and security. The Committee has held that “[s]uch a prohibition is in violation of article 18 of the [ICCPR], which does not permit any limitations whatsoever on the freedom of thought and conscience or on the freedom to have or adopt a religion or belief of one’s choice, and of article 26, which prohibits discrimination on the ground of religion.”<sup>16</sup>

Contrary to the international covenants, however, the government continues to impose restrictions on conversion from Islam and proselytization of Muslims.<sup>17</sup> Under Shari’ah law, “the conversion of a Muslim to another religion is considered apostasy, which the Government interprets as a crime punishable by death.”<sup>18</sup> In recent years, the police in Yemen have arrested people for apostasy (converting from Islam to another religion) and proselytizing (trying to convert others from Islam to another religion).<sup>19</sup> “Those arrested are only released if they renounce their new faith and vow to embrace Islam again.”<sup>20</sup> Furthermore, courts have recently convicted people for blasphemy against Mohammad (insulting Mohammad).<sup>21</sup>

Several recent arrests “appear to indicate a new, disturbing trend of government-sanctioned intolerance towards religious minorities.”<sup>22</sup> Recent arrests for apostasy and proselytizing show that “conditions for religious minorities in Yemen appear to have recently deteriorated.”<sup>23</sup> Chair for the United States Commission for Religious Freedom, Felice D. Gaer, recently stated, “If the recent raids of Baha’i residences and the arrests of both Christians and Baha’is were carried out because of the religious identity of the targeted individuals, that constitutes a clear violation of the International Covenant on Civil and Political Rights (ICCPR), to which Yemen is a party.”<sup>24</sup>

## **II. Legislation**

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<sup>13</sup> *Id.* art. 19(2).

<sup>14</sup> *Id.* art 26.

<sup>15</sup> The Human Rights Committee, *Consideration of Reports Submitted by States Parties under the Covenant*, ¶ 354, T U.N. Doc. CCPR/C/YEM/2004/4 (July 21, 2004) (Fourth Periodic Report).

<sup>16</sup> The Human Rights Committee, *Concluding observations of the Human Rights Committee*, ¶ 18, U.N. Doc. CCPR/CO/84/YEM (Aug. 9, 2005).

<sup>17</sup> *2008 Religious Freedom Report*, *supra* note 1.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> Press Release, Freedom House, Yemen Urged to Respect Rights of Religious Minorities (Aug. 27, 2008) (on file with author), available at <http://www.freedomhouse.org/template.cfm?page=70&release=697>.

<sup>21</sup> *2008 Religious Freedom Report*, *supra* note 1.

<sup>22</sup> Press Release, United States Commission on Religious Freedom, *Government Should Release Baha’i and Christian Prisoners; Ensure Baha’is are not Deported to Iran* (Oct. 16, 2008) (on file with author), available at [http://www.uscirf.gov/index.php?option=com\\_content&task=view&id=2295&Itemid=1](http://www.uscirf.gov/index.php?option=com_content&task=view&id=2295&Itemid=1).

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

## **A. Shari'ah Law**

Under Shari'ah law, converts are considered apostates.<sup>25</sup> Importantly, Shari'ah law expressly prohibits proselytization of Muslims as well as conversion from Islam to any other religion.<sup>26</sup> Such conversion – according to Shari'ah law – is a crime punishable by death.<sup>27</sup> Because Shari'ah law is part of the Yemeni legal system, the courts have authority to prosecute apostates and proselytizers.<sup>28</sup> There is no commensurate law pertaining to conversion or proselytism under Yemeni civil law.<sup>29</sup>

## **B. Yemeni Penal Laws**

No official governmental policy exists to criminalize possession of non-Islamic religious literature.<sup>30</sup> On several occasions, however, persons were harassed by members of the Political Security Office (PSO), which reports directly to the president's office, for possessing such literature.<sup>31</sup> Furthermore, missionary groups and those associated with them have reported that the PSO monitors, harasses, and occasionally censors their mail.<sup>32</sup>

A 1990 press law prohibits criticism of the President and sets out a long list of offences defined in very vague terms. Specifically, article 103 of the Yemeni press law prohibits publications which prejudice the Islamic faith.<sup>33</sup> This law undoubtedly discourages religious freedom. For example, on November 12, 2005, armed men attacked and stabbed opposition journalist Nabil Sabaie in Sana'a.<sup>34</sup> Two weeks later, on 27 November 2005, a Sana'a court ordered the closure of the opposition newspaper Tagammu, where the journalist worked, for sectarianism and "attacking Islam's image."<sup>35</sup>

## **III. Judicial System**

Yemen's judicial structure has three distinctive characteristics:

First, Islamic jurisprudence plays a larger role in legal and judicial training than in most other Arab states. Second, the judiciary is unusually unified; Yemen does not have the series of specialized courts that has arisen in many Arab countries. Third, the executive branch has a strong presence in the Supreme Judicial

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<sup>25</sup> 2008 Religious Freedom Report, *supra* note 1.

<sup>26</sup> *Id.*

<sup>27</sup> *Id.* See also European Parliament, *Human rights situation in Yemen*, Doc. NT\613967EN, [http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/nt/613/613967/613967en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/nt/613/613967/613967en.pdf).

<sup>28</sup> 2008 Religious Freedom Report, *supra* note 1.

<sup>29</sup> *See id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> European Parliament, *supra* note 27.

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

Council, though there has been some promise of reform to enhance judicial independence.<sup>36</sup>

The constitution includes some general rule of law guarantees, as well as some specific provisions for the judiciary. For example, Article 147 states that “[t]he judicial authority is autonomous in its judicial, financial and administrative aspects and the Public Prosecution is one of its sub-bodies. The courts shall judge all disputes and crimes.”<sup>37</sup>

“Yemen’s courts of general jurisdiction have three levels: first instance (*ibtida’iyya*), appeals, and the Supreme Court.”<sup>38</sup> The courts of general jurisdiction have specialized chambers that address some matters such as public funds, or juveniles.<sup>39</sup> Unlike many Arab countries, however, Yemen does not divide its judicial system into specialized courts (administrative, personal status, constitutional, security, etc.).<sup>40</sup> In fact, the Yemeni Constitution bans division of the judicial system into specialized courts.<sup>41</sup> Yet, higher level courts are divided into specialized sections (civil, criminal, commercial, and personal status).<sup>42</sup> Thus, no single court handles personal status issues. Rather, such issues are handled by the specialized chamber in the courts of general jurisdiction according to Shari’ah law and codified law.<sup>43</sup>

## **SECTION 2: *Incidents of Religious Persecution and Discrimination***

The following examples describe recent incidents of religious persecution or discrimination in Yemen. Most incidents referenced herein are accompanied by a web link to a news story. The full text of each news story can be found in the Appendix. Those incidents not accompanied by a web link are described in the U.S. State Department’s *International Religious Freedom Reports* on Yemen.

### **Selected Recent Incidents of Persecution or Discrimination**

#### **A. Proselytizing/ Blasphemy**

1. June 2008 – Officials arrested a Christian convert “promoting Christianity and distributing the Bible.”<sup>44</sup>
2. June 20, 2008 – Security officials arrested seven Baha’is (two Yemenis, four Iranians, and one Iraqi) after a raid on their homes.<sup>45</sup> Though not officially banned Yemen, some Muslims believe the Baha’i faith is heresy.<sup>46</sup>

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<sup>36</sup> Nathan J. Brown, *Arab Judicial Structures: A Study Presented To The United Nations Development Program*, <http://www.pogar.org/publications/judiciary/nbrown/yemen.html> (last visited 21 Oct. 2008).

<sup>37</sup> CONST. OF THE REPUBLIC OF YEMEN, chapter II, art. 147, available at <http://www.al-bab.com/yemen/gov/con94.htm>.

<sup>38</sup> Brown, *supra* note 36.

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> CONST. OF THE REPUBLIC OF YEMEN, chapter II, art.148, available at <http://www.al-bab.com/yemen/gov/con94.htm> (“Exceptional courts may not be established under any conditions.”).

<sup>42</sup> Brown, *supra* note 36.

<sup>43</sup> *Id.*

<sup>44</sup> 2008 *Religious Freedom Report*, *supra* note 1.

<sup>45</sup> *Id.*

3. May 2008 – Imam Mohammed Ahmed Miftah, a leader in the religious minority Zaydis, disappeared after his car was attacked by gunmen.<sup>47</sup>
4. September 2005 – an unidentified German citizen living in the Hadramaut Governorate was accused of proselytizing and had his home and car set on fire.<sup>48</sup>

## B. Anti- and Forced Conversions

1. May to August 2008 – Yemeni police detained at least nine people for converting from Islam to Christianity. “One man, Hani el-Dahayni, 30, was detained in May after police stormed his office and confiscated computers and compact discs.”
2. Family members of the detained fear they could face torture or abuse in prison.<sup>49</sup>

## C. Societal Abuses

1. 2008 – Jewish residents in Amran Governorate are increasingly harassed by Muslim neighbors.<sup>50</sup>
2. June 2008 – A group of “religious men” beat a young college student for walking with female classmates.<sup>51</sup>
3. May 2008 – An al-Qaeda cell threatened non-Muslims on the Arabian Peninsula. “We warn all the unbelievers who enter the Arabian Peninsula that [targeting] their money and their blood are religiously right for us.”<sup>52</sup>
4. April 2008 – Large group of men ransacked and burned two homes in the al-Hayd villages belonging to displaced Jewish suffering harassment.<sup>53</sup>
5. January 2007 – Saada Jewish community received a threatening letter from an al-Houthi, a Shiite rebel militia, that accused them of promoting vices and demanded that they leave the province. The letter said that “[o]ur religion ordered us to fight the corrupt people and expel them.” Dawoud Yousef Mousa, one of the displaced Jews, said that on Wednesday, January 17, 2008 a group of masked men approached a group of Jews and threatened to slaughter them if they did not leave. Subsequently, 45 Jews were forced to leave their homes in fear of their lives.<sup>54</sup>

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<sup>46</sup> The Associated Press, *Yemen Detains 9 People for Converting*, INT’L HERALD TRIBUNE, 19 Aug. 2008, available at <http://www.iht.com/bin/printfriendly.php?id=15422652>.

<sup>47</sup> 2008 Religious Freedom Report, *supra* note 1.

<sup>48</sup> 2006 Religious Freedom Report, *supra* note 7.

<sup>49</sup> The Associated Press, *supra* note 46.

<sup>50</sup> 2008 Religious Freedom Report, *supra* note 1.

<sup>51</sup> *Id.*

<sup>52</sup> *Yemen: Al-Qaeda Warns Non-Muslim Foreigners*, ADNKRONOS INT’L, <http://www.adnkronos.com/AKI/English/Security/?id=1.0.2169329555> (last visited 21 Oct. 2008).

<sup>53</sup> Mohammed al-Kibsi, *Houses of Yemeni Jews from Al-Salem bombarded by al-Hothi followers*, YEMENI OBSERVER, 6 Apr. 2008, available at <http://www.yobserver.com/front-page/10014026.html>.

<sup>54</sup> Elizabeth Kendal, *Yemen: Shi’ite Rebellion Resurfaces – Yemeni Christian & Jews Threatened*, Persecution.org, 20 Feb. 2007, <http://www.persecution.org/suffering/newsdetail.php?newscode=4635>.

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#### APPENDIX

#### SECTION 2

##### A. Proselytizing/ Blasphemy

###### 1. U.S. Department of State International Religious Freedom Report 2008 - Yemen

19 September 2008

<http://www.state.gov/g/drl/rls/irf/2008/108496.htm>

[*excerpt*]

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.

###### 2. Official: Yemen detains 9 people for converting

19 August 2008

<http://www.iht.com/bin/printfriendly.php?id=15422652>

**SAN'A, Yemen:** Yemeni police have detained at least nine people this year for converting from Islam to Christianity, a security official said Tuesday.

The nine were arrested between May and early August and remain in police custody, said the official.

Converting from Islam to any other religion is illegal in Yemen and can be punishable by death. But in previous cases, those arrested are usually released after they revoke their new faith and pledge to return to Islam.

Three of the nine were detained west of the capital, San'a, said the official, who spoke on condition of anonymity because he was not authorized to speak to the media. He declined to provide details about the others.

A family member of one of the detained said he fears those arrested could face torture or abuse in prison. The family member, who declined to be named because of security concerns, said Hani el-Dahayni, 30, was detained in May after police stormed his office and confiscated computers and compact discs.

Separately, police detained six Iranian who are followers of the Baha'i faith and have lived in Yemen for three decades, the security official said. The six were accused of being members of a rebel group, he said.

Though not officially banned in Yemen, the Baha'i religion is considered by some Muslims as heresy.

The Baha'i faith was founded by the Persian nobleman Baha'u'llah, who claimed to be a new prophet in the series that included Moses, Jesus and Muhammad. Islam considers Muhammad to be the last of the prophets.

Mansour Hayel, vice president of the Omar al-Gawi Political Forum that advocates for human rights and civil liberties in Yemen, blamed the arrests on the growing influence of extremist Muslim groups in Yemen.

### **3. U.S. Department of State International Religious Freedom Report 2008 - Yemen**

19 September 2008

<http://www.state.gov/g/drl/rls/irf/2008/108496.htm>

[*excerpt*]

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.

### **4. U.S. Department of State International Religious Freedom Report 2006 – Yemen**

15 September 2006

<http://www.state.gov/g/drl/rls/irf/2006/71436.htm>

During the reporting period, there were sporadic reports of violence initiated by Salafi elements who were attempting to take control of moderate and Sufi mosques around the country. In September 2005 an unidentified German citizen living in the Hadramaut Governorate was accused of proselytizing and had his home and car set on fire. There were

also unconfirmed reports that followers of Ismaili Islamic teachings were occasionally harassed and forbidden entry to mosques affiliated with Salafi followers.

## **B. Anti- and Forced Conversions**

### **1. Official: Yemen detains 9 people for converting** (*article also referenced above*)

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Mansour Hayel, vice president of the Omar al-Gawi Political Forum that advocates for human rights and civil liberties in Yemen, blamed the arrests on the growing influence of extremist Muslim groups in Yemen.

## **C. Societal Abuses**

### **1. U.S. Department of State International Religious Freedom Report 2008 - Yemen**

19 September 2008

<http://www.state.gov/g/drl/rls/irf/2008/108496.htm>

*[excerpt]*

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.

### **2. U.S. Department of State International Religious Freedom Report 2008 - Yemen**

19 September 2008

<http://www.state.gov/g/drl/rls/irf/2008/108496.htm>

*[excerpt]*

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.

### **3. Yemen: Al-Qaeda Warns Non-Muslim Foreigners**

16 May 2008

<http://www.adnkronos.com/AKI/English/Security/?id=1.0.2169329555>

**Sanaa, 16 May (AKI)** - An al-Qaeda cell in Yemen has issued a threat against non-Muslim foreign tourists, particularly those from the West, who visit the Arabian Peninsula.

"We warn all the unbelievers who enter the Arabian Peninsula that [targeting] their money and their blood are religiously right for us," said al-Qaeda of the Jihad in the South of the Arabian Peninsula in a statement that was published in its e-magazine entitled "Epic Echo".

"We want to tell you that if you enter the Arabian Peninsula under any name or cover, whether as tourists, diplomats, university professors or journalists, know that we are justified in targeting you," said the statement.

"We do not respect any of the agreements signed by the Yemeni president Ali Abdullah Saleh and various governments."

The terrorists also mentioned the al-Qaeda leader Osama bin Laden and accused Europeans of not having accepted his offer of peace offered to European governments in April 2004.

"No-one will be safe without an explicit permission from Sheikh Osama," said the statement.

The group also said that it would also target Yemeni security forces.

In recent weeks, Yemen has been hit by a series of attacks carried out by al-Qaeda against government targets.

#### **4. Houses of Yemeni Jews from Al-Salem bombarded by al-Hothi followers**

6 April 2008

<http://www.yobserver.com/front-page/10014026.html>

The houses of the al-Salem Jews in al-Hayd village were reported to be destroyed by al-Hothi followers on Sunday April 6, said Yahya Joseph Mossa, Rabbi of al-Salem Jews.

An escalation in fighting in the region broke out between the followers of al-Houthi and tribesmen affiliated to Sheikh Shaiya Bakhtan since his recent assassination by al-Hothi followers two months ago.

Three houses in al-Hayd villages belonging to followers of Shaiya Bakhtan were destroyed on Saturday night, while the house of the Rabbi Yahya Joseph was destroyed this morning.

According to Yahya Mossa, who received this information from a phone call from Sada during an interview at the Observer on other related articles, his house was hit by three mortar shells and later completely destroyed.

The entire five stories of his house lay in rubble where al-Hothi followers pillaged and looted all his belongings and properties from the wreckage.

Mossa said he and his family fled from their homes when they received a threat letter from al-Hothi followers a year and months ago.

He said that they left all their properties and belongings in their houses, as their expulsion left little preparation.

Three other houses belonging to Haron Mossa and Suleiman Mossa, located in al-Hayd village, are also being besieged by al-Hothi followers.

The al-Salem Jews are living in the Tourism City in Sana'a since they had been expelled from their houses in Sada governorate and are being financed by the Yemeni government.

Meanwhile reports from Sada said that more than 15 persons were killed in the war broke out between the al-Hothi rebels and tribesmen of al-Bakhtan .

Fifteen people were killed in Yemen during fierce gun battles between Shia rebels and members of a tribe loyal to the government, witnesses said on Sunday.

Thirteen people were wounded in the fighting between the pro-government Al Bakhtan tribe and the rebels, they said.

The fighting, which broke-out on Saturday in a market in the mountainous Sada province near the border with Saudi Arabia, came two months after Zaidi rebels killed an Al Bakhtan member who they accused of supporting the government.

## **5. Yemen: Shi'ite Rebellion Resurfaces – Yemeni Christian & Jews Threatened**

20 February 2007

<http://www.persecution.org/suffering/newsdetail.php?newscode=4635>

**2007-02-20 Yemen (via Assist News)** -- Shiite power is rising in Yemen and causing tension between Shia's and Sunnis and any Shiite vs Sunni conflict will impact Jews and Christians.

This is because in a Shiite vs Sunni conflict, Sunni extremism intensifies and is advanced resulting in increased persecution of Shiites, Jews and Christians, while Shiites (usually the minority sect) attempt to deflect Sunni hate and unite the sects in battle against their common "enemies": Jews, Israel, Christians and US-allied Arab governments.

The Sunni vs Shiite struggle for supremacy is escalating in Yemen and followers of Shiite rebel Al Houthi have renewed their insurgency against the government of President Ali Abdullah Saleh. Before the Shiite rebels re-launched their insurgency they issued a public threat against the local Jewish community.

### **JEWS THREATENED AND EXPELLED**

On 10 January the 45 Jews of al Haid, Sa'ada (north Yemen), received letters from a Shiite rebel militia. The letters accused them of promoting vice and demanded that they leave the province. According to the Yemen Observer, the 45 Jews have been forced to flee their homes in fear of their lives. While they have since been given refuge in a hotel at the expense of a compassionate local sheik, they are reportedly living in appalling conditions. Shiite militants have since threatened to bomb the hotel.

The Yemen Observer reports: "Most of Yemen's Jews were brought over to Israel during Operation Magic Carpet in 1949-50, following the 1948 Muslim riots th at destroyed the Jewish community in Aden and killed 82 people. There were about 63,000 Jews in Yemen in 1948. Now, only about 400 Jews remain in the country, most of who are living in Raida, in the Amran province." (Link 2)

A copy of the threatening letter was faxed to the Yemen Observer. It reads: "After an accurate surveillance of the Jews who are residing in Al Haid, it has become clear to us that they were doing things which serve mainly Zionism, which seeks to corrupt the people and distance them from their principles, their values, their morals, and their religion, and spread all kinds of vice in the society. Our religion ordered us to fight the corrupt people and expel them."

The newspaper reports that the hand written letter concluded with the words: "Allah is Greater, Death to America, Death to Israel, Curse to Jews, and Victory to Islam," and explains that the words form the slogan of the slain Shiite cleric, Hussein Badr Al Deen Al Houthi. The letter was then signed by Yahya Sad Al Khudhair, who described himself as the leader of Al Houthi supporters in Al Salem.

Dawoud Yousef Mousa, one of the displaced Jews, told the Yemen Observer: "We are a total of 45 Jews, from Al Salem, we left our houses in Al Haid area in Sa'ada to a hotel here in the city of Sa'ada, after we received warnings to leave our country, Yemen, within 10 days from the date of the threat letter,"

According to Mousa, on Wednesday 17 January, he was with a group of Jews when they were approached by four masked men who threatened to slaughter them if they did not leave on Al Salem by Friday 19 January. "They told us, 'No one will protect you, Jews, from us, not even [President] Ali Abdullah Saleh.'" And they were warned that if they did not leave their homes in two days "they will only have themselves to blame" for the consequences, which will include abductions and looting.

The Yemen Observer reports that the local authorities and tribal sheikhs in Sa'ada held meetings to discuss the complaints from the Yemeni Jews. However the meetings only resulted in oral reassurances for the Jews, who were told to ignore the threats and go back to their villages, something the Jews were not prepared to do.

The Jews have appealed to the governor of Sa'ada for protection. In their submission they wrote: "It is not a secret that we are "Themmys" [dhimmis] (free non-Muslims, enjoying the Muslims' protection [definition by Yemen Observer]), we are in the protection of the Prophet Mohammed, and in the protection of President Ali Abdullah Saleh. We [are in] your protection. We would rather die than leave our homes."

## **SHIITE INSURGENCY**

Yemen did not exist as a unified state until May 1990. Before then there was North Yemen which was 60 percent Shiite, and South Yemen which was 99 percent Sunni. Historically Zaydi (Shia) Imams had ruled over North Yemen as absolute monarchs. Then in 1962 the Imamate of Muhammad al-Badr was overthrown in a military coup which ignited civil war between republicans backed by Egypt, and royalists backed by Saudi Arabia, Jordan and Britain. After years of conflict and political see-sawing, North Yemen emerged as the Yemen Arab Republic.

In December 1989 the parliament of South Yemen voted unanimously in favour of unifying the two states. Meanwhile, in North Yemen 25 of the more religiously fundamentalist members of the of North Yemen parliament boycotted the vote, recognising that upon unification, the Shiites of North Yemen would go from being a majority to a 30 percent minority. Unification went ahead and Ali Abdullah Saleh was elected president of the unified Republic of Yemen on the votes of both houses of parliament. He has been directly, democratically elected twice since.

In June 2004 a Shiite insurgency erupted against the government of Ali Abdullah Salih. The Shiite rebels were "protecting Islam" and protesting the government's alliance with the US in its War on Terror. The government claimed the rebels were fighting for the restoration of the Zaydi imamate, though the rebels denied this. President Ali Abdullah S aleh is a Zaydi Shiite, but like many other Zaydis he is a republican.

On 13 July 2004 the Christian Science Monitor reported on the Shiite insurgency: "The revolt is led by Hussein al-Houthi, an anti-US Shiite cleric who runs a religious school and heads a group called Al Shabab al-Moumin, the Youthful Believers.

"Houthi's rebels have been flying the flag of the Iranian-backed Hizbullah organization and the militant cleric has been paying his followers \$100." (Link 3)

The government unleashed the full force of its military against the Shiite rebels and the insurgency only lasted ten weeks. Rebel leader Zaydi cleric Hussein al-Huthi was killed in the fighting.

The July 2004 CSM article actually raised the issue of al Qaeda infiltration into Yemen and questioned whether Iran was sponsoring a Shiite revival amongst the Yemeni Zaydis to counter a Wahhabi revival amongst the Sunnis. It concluded with a quote from Professor Hamzeh: "It seems that Al Qaeda has been successful in radicalizing the Shafi Sunnis,' he says. 'I can definitely see a future clash between the Zaidi Shiites and the newly mobilized Shafi Sunnis."

After Al-Houthi's father, Badr al-Din al-Huthi, assumed leadership of the rebel group, fighting resumed in March 2005. Once again, the government unleashed the military against the rebels. Shiite leaders in both Iran and Iraq protested the "persecution" of Yemeni Shiites. By May 2005 the rebels had retreated into the mountains and the fighting had ceased.

On 27 January 2007 Shiite rebels in the northern province of Sa'ada (where the Jews are being persecuted) launched a mortar attack on a security building, killing six soldiers. In early February Yemen's parliament authorised its military to launch a full-scale assault against the rebels. Stratfor estimates that around 80 Shiite al-Houthi rebels and around 40 Yemeni government soldiers have died in fighting over the past two weeks. The Yemen Times puts the figure at 32 rebels and 15 soldiers.

Some Yemeni MPs and political commentators suspect that Iran and Libya are interfering in Yemen; Iran to bolster the Shiites to counter al Qaeda and the revival of Wahhabi ideology; and Libya to bolster the Wahhabis for the purpose of destabilising Saudi Arabia.

Yemen is a fertile field for a Sunni vs Shiite contest. If the radicalisation of both Shiites and Sunnis is not effectively countered then the future is bleak, not only for Yemeni Jews and Christians, but for the united, democratic Republic of Yemen.