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Technical assistance and capacity-building

Written statement* submitted by Jubilee Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2023]

* Issued as received, in the language of submission only.



Ensure Protection and Participation of Yemeni Christians, Bahais, and Other Individuals of Diverse Religions and Belief Groups in the Peace Process

Violence in Yemen in 2023 has seen an uptick⁽¹⁾, including an increase in targeted attacks and violent speech towards religious minorities. On 25th May 2023, Houthi militia stormed a peaceful meeting of Bahais in Sana'a and arrested 17, including five women, and continue to detain 11 of them incommunicado.⁽²⁾ On 2 June 2023, the UN High Commissioner on Human Rights reported how the Mufti Shamseddin Sharafeddin, appointed by leaders of the Houthi militant movement, accused the detained Bahais of being apostates and saying "they should be killed," if they did not repent.⁽³⁾

Similar hate speech and incitement has been recorded in Yemen towards Christian converts and others since the start of the conflict and was raised during the virtual 53rd Human Rights Council parallel event co-sponsored by the Slovak Republic Bureau of the Special Envoy for Freedom of Religion or Belief. In addition, Article 259 of the Penal Code in Yemen, provides that apostasy is punishable by death.⁽⁴⁾ There are an estimated 40,000 Christians both native and refugees from abroad, this number however, has dwindled, and USCIRF reports that the community has shrunk to only a few thousand, "Christians who remain in Yemen are unable to worship in public without fear."⁽⁵⁾

Women

In addition, women are especially targeted in Houthi-controlled areas where restrictions of freedom of movement have become more pronounced with detrimental impact on several freedoms, including women's exercise of freedom of religion and belief.⁽⁶⁾

Christian convert women have reported how Houthi security guards physically beat them while in detention, and one survivor shared about threats by the Houthis to marry off her teenage daughter to a chief Houthi leader as punishment for leaving Islam. She was able to escape with her daughter before the threats were acted on. The Muharram laws however, exacerbate the hardships faced by Yemeni women and hamper their ability to flee religious persecution and domestic violence.⁽⁷⁾

Humanitarian crisis

Yemen has a population of over 24 million people, with more than 80 per cent of the population struggling to access food, safe drinking water and adequate health services.⁽⁸⁾ It is therefore exceedingly concerning that those distributing the aid are denying it to individuals who do not share their beliefs, including Christians who left Islam in Yemen and other faith believers. These actions leave minorities additionally vulnerable; not only do they face the risk of extrajudicial execution for perceived or de facto apostasy or arbitrary detention, but also enforced hunger by intolerant actors who have weaponised aid distribution.

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) describes in its Humanitarian Response Plan how existing legal and policy frameworks are weak and lack proper implementation to protect rights but does not include information regarding the systemic discrimination of individuals on religious grounds.⁽⁹⁾ The Humanitarian Response Plan does note how children continue to be exposed to "family separation, child recruitment into armed groups, forced/early marriage, trafficking and the worst forms of child labour, such as commercial sexual exploitation". The report acknowledges marginalization and discrimination against certain minority and gender groups - but not with regards to distribution of aid. The report highlights specifically the ethnic minority group Muhamasheen who are represented in the Minority Council of Yemen, noting the social exclusion and reduced access to public services.

These injustices are compounded by “intersecting identities”, such as being displaced and/or women.⁽¹⁰⁾ In addition to racial/ethnic discrimination however, religious discrimination is unfortunately also prevalent in the country, with those who leave Islam being threatened with death and/or ostracism from the society as noted above; information regarding individuals from religious minority groups, including Christians or Bahais, should therefore be part of any future response plan.

Religious and ideological arguments are used to spur violent attacks. This summer, armed groups brutally murdered Mr. Hameidi - a veteran staff member of the World Food Program (WFP) - who was the head of the WFP’s office in Taiz. Locals reported how the attacks followed increasing dissemination of death threats by religious clerics saying NGOs are responsible for converting people and making apostates. The fact that conversion or acts of apostasy are viewed as punishable, even worthy of death sentences, places individuals who have freely chosen to leave Islam under duress and at risk of persecution and extrajudicial and summary executions by the various militant groups in the country. It also reveals that aid organisations will be targeted whether they provide aid to religious minorities or not.

Yemen Declaration for Justice and Reconciliation

On July 24, 2023, over 40 civil society organisations from Yemen launched a Yemen Declaration for Justice and Reconciliation. It emphasised the need to uphold the rights of “all people regardless of ethnicity, sex and religion in Yemen.” It specifies that any post conflict justice process must address the violations “arising in the following contexts”, including discrimination and persecution on the basis of gender, religion and social group, and attacks against freedom of expression and assembly.

Recommendations:

Recently the UN Human Rights Council adopted resolution A/HRC/RES/53/1 with an operational paragraph calling upon States to, “adopt national laws, policies and law enforcement frameworks that address, prevent and prosecute acts and advocacy of religious hatred that constitute incitement to discrimination, hostility or violence, and to take immediate steps to ensure accountability.”⁽¹¹⁾ This resolution received 28 votes in favour⁽¹²⁾ coming overwhelmingly from states who are members of the Organisation of Islamic Cooperation, including the United Arab Emirates, who have influence in the outcome of the conflict.⁽¹³⁾ In light of the operative paragraph text it should be applied in the context of Yemen, where there is widespread documentation of incitement to violence and destruction and burning of places of worship and religious books by Houthi forces and the Islamist armed group Al-Qaeda.⁽¹⁴⁾

Jubilee Campaign calls on the Human Rights Council to:

1. Increase awareness among all stakeholders, including Member States, relevant bodies of the United Nations system, United Nations specialized agencies, funds and programmes to the importance of promoting freedom of thought, conscience, religion and belief as an inalienable and independent human right by virtue of which all human rights and promote the visibility of minorities;
2. Harness the engagement and commitment of several states during the urgent debate to combat religious hatred in the context of Yemen;
3. Ensure Capacity-Building of the National Commission on Inquiry of Yemen includes training on religious freedom and freedom of thought, conscience, religion and belief together with the UN Special Rapporteur on freedom of thought, conscience, religion or belief.
4. Train journalists on the importance of diverse reporting, providing visibility of Yemenis of all belief backgrounds and convictions;

5. Cover reporting gaps, to ensure the report of the High Commissioner recommendations address the impunity surrounding attacks against freedom of thought, conscience, religion and belief [in addition to the already included freedom of expression] in its next report and recognise the importance of religious freedom to build and maintain resilient and peaceful societies in ideological and religious conflicts.
6. Call for the release of the 11 Bahais detained by Houthis and Jewish Yemeni Libi Marhaba.
7. Urge Yemen to repeal its anti-apostasy laws and immediately remove the sanction of the death penalty for apostasy.

Set My People Free, NGO(s) without consultative status, also share the views expressed in this statement.

- (1) BBC News (April 2023). Yemen: Why is the war there getting more violent?
- (2) Office of the High Commissioner of Human Rights (09 June 2023). Detention of followers of the minority Baha'i faith.
- (3) Ibid.
- (4) "It also contains various other offences similar to blasphemy see articles 194 195, 260, and 261 [of the Penal Code]." ; Alexander, Christopher; Sato, Mai; Hosen, Nadirsyah; McLaren, James (2021). Killing in the Name of God: State-sanctioned Violations of Religious Freedom. Monash University. Report.
- (5) Miller, Hilary (May 2023). Religious Freedom in Houthi-Controlled Areas of Yemen. USCIRF.
- (6) Ibid.
- (7) Ibid.
- (8) UN Office for the Coordination of Humanitarian Affairs (OCHA), Yemen: 2023 Humanitarian Response Plan, January 2023.
- (9) Ibid.
- (10) Ibid.
- (11) UN Human Rights Council 53rd Session (17 July 2023). Resolution adopted by the Human Rights Council on 12 July 2023.
- (12) *of the 47 total Human Rights Council members' votes.
- (13) United Arab Emirates. (15 March 2023). UAE Statement at the UN Security Council Meeting on the Situation in Yemen.
- (14) Human Rights Watch. (10 May 2016). Christians Among The Victims in an Unstable Yemen. ; Open Doors (December 2022). Yemen Full Country Dossier. ; Bahai World News Service (26 May 2023). "Violent acts": Armed Houthis attack Bahá'í gathering in Yemen, arresting at least 17, in fresh crackdown.