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UN expert urges Yemen to halt systematic harassment of Bahá'í community

OHCHR (04.10.2016) – <http://bit.ly/2eczx00> - The United Nations Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, today called on the authorities in Yemen to put an end to the systematic harassment of the Bahá'í population in the country, including arbitrary arrests and detentions. He also called for the release of three leaders of the Bahá'í Yemeni community detained over two months ago.

"No one should be persecuted based on their religion or belief and neither should they be targeted when belonging to religious minorities," the human rights expert said. "Random arrests, detentions, raids of their homes and offices as well as confiscation of electronic devices and significant sum of money are simply unacceptable."

"The Yemeni authorities should also immediately release all detained Bahá'ís who seem to be targeted based on their religion," Mr. Bielefeldt said recalling the cases of Nadim Tawfiq Al-Sakkaf, Nader Tawfiq Al-Sakkaf and Kaiwan Mohamed Ali Qadri, imprisoned since 10 August 2016.

The three Bahá'í leaders were detained following a mass arrest of 60 Bahá'ís and non-Bahá'ís across the country at a nine-day event of moral and educational youth programmes in Jud Organization building in Sana'a. Most of the arrested people were subsequently released but them.

"Any arrest or detention based on the exercise of the freedom of religion is arbitrary," the Special Rapporteur underscored. "It is worrying to learn that these arrests were allegedly instructed by the prosecutor in the country."

"The authorities must also unlock the Bahá'í centre and allow the Bahá'ís to access it," he said. "Persons belonging to religious minorities, including members of the Bahá'ís, must be ensured their rights to freedom of religion and belief."

The human rights expert also drew attention to the case of Hamid Kamali Bin Haydara arrested in 2013, and remains incarcerated in the National Security Prison for 'compromising the independence of the Republic of Yemen', including spreading the Bahá'í faith in the Republic of Yemen. His trial has been postponed on numerous occasions up till September 2016.

"I remain concerned that the due process for Mr. Kamali's case has fallen below the fair trial standards as guaranteed by international human rights law," Mr. Bielefeldt said while stressing that Mr. Kamali is suffering from serious health conditions that require proper medical attention

The Special Rapporteur reminded the Yemeni authorities that they must uphold their international obligations and do all they can to protect all citizens in the country under any circumstances.

Mr. Bielefeldt's call has been endorsed by the UN Special Rapporteur on minority issues, Ms. Rita Izsák-Ndiaye and the UN Working Group on Arbitrary Detention.

Baha'i adherent faces death penalty

End persecution of religious minority

Human Rights Watch (01.04.2016) - <http://bit.ly/1N4Eocf> - Yemeni authorities should drop all charges against a member of the Baha'i faith detained since December 2013, apparently for his religious beliefs. Prosecutors are expected to seek the death penalty for Hamed Kamal Muhammad bin Haydara in a court hearing scheduled for April 3, 2016.

Yemeni authorities should stop the persecution of the country's Baha'i community, Human Rights Watch said.

"The Yemeni authorities have committed an injustice by prosecuting Haydara for his religious beliefs and compounding that injustice by seeking to execute him," said Joe Stork, deputy Middle East director. "The charges should be dropped and Haydara should be released."

Haydara was detained on December 3, 2013, by officers from Yemen's National Security Bureau (NSB), an intelligence agency. He was held in an NSB detention center in the capital, Sanaa, for almost a year, as officers beat him and subjected him to electric shocks and other mistreatment.

On January 8, 2015, the Specialized Criminal Court prosecutor issued an indictment claiming that Haydara was an Iranian citizen, using a false name, who arrived in Yemen only in 1991. Yet photocopies of his Yemeni ID and passport provided by his wife show he was born in Yemen in 1964. The prosecutor also charged him with collaborating with Israel by working for the Universal House of Justice, the Baha'i supreme governing institution, which is based in Haifa, Israel. The prosecutor also alleged that Haydara lured potential Muslim converts to the Baha'i faith through charitable giving and tried to "establish a homeland for the followers of the Baha'i faith" in Yemen.

In the indictment, which Human Rights Watch reviewed, the prosecutor charges Haydara under Yemen's penal code with committing, among other crimes, "an act that violates the independence of the republic, its unity, or the integrity of its lands," "working for a foreign state's interests," "insulting Islam," and "apostasy." The prosecutor is seeking "the maximum possible penalty," which for some of these charges is death, as well as confiscation of his property.

Four members of the Baha'i community who have been monitoring the court proceedings told Human Rights Watch that since Haydara's 2013 arrest, his case has had 13 court hearings, but he has only been allowed to attend three. The local human rights group Mwatana monitored the most recent hearing, on February 28, 2016, for which Haydara was absent. The director of Mwatana, Radhiya al-Mutawakil, who was at the session, said the judge asked the prosecutor, Rajeh Zayyed, about Haydara's absence, but received no explanation.

Zayyed claims to have had 14 interrogation sessions with Haydara, but according to Haydara's lawyer, Abdulkarim al-Hamadi, the prosecution only interrogated Haydara

twice, and brought him to the prosecutor's office twice more but then did not question him. Al-Hamadi has only been allowed to communicate with his client by phone.

At the February 28 hearing, Zayyed reiterated that the prosecution is seeking the death penalty. Human Rights Watch opposes the death penalty in all circumstances as an inherently cruel form of punishment.

Haydara's wife, Elham Muhammad Hossain Zara'i, told Human Rights Watch that in a September 4 meeting with one of the judges presiding over the case, he threatened her with prison because of her faith and told her that all Baha'is should be in prison.

Since the Houthis, also known as Ansar Allah, took control of Sanaa and other areas of Yemen in September 2014, the judiciary has significantly slowed its processing of cases, though many employees within the judiciary system have remained the same.

Most of the charges against Haydara relate to his practice of the Baha'i faith. They violate the International Covenant on Civil and Political Rights (ICCPR), which Yemen ratified in 1987. Article 18 states: "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

Yemen's penal code includes provisions that impose criminal penalties for renouncing Islam as well as attempting to convert Muslims to other faiths.

About 1,000 Baha'i members live in Yemen. The case against Haydara is not the first of its kind, representatives of the global Baha'i community said. In June 2008, National Security officers arrested Behrooz Rouhani, a Baha'i man, and two visiting Baha'i friends, all of whom carried Iranian passports, at Rouhani's home in Sanaa. Rouhani told Human Rights Watch that the officers handcuffed and blindfolded them and then searched his home, confiscating many Baha'i books, video cassettes, and documents. They said they were kept handcuffed and blindfolded the first two days of their detention.

Officers arrested a fourth Baha'i man, who carried an Iraqi passport, the next day. Rouhani said that officers interrogated him about his faith the first week every night for five or six hours, accusing him of trying to convert Muslims and of collaboration with Israel. The four were released without charge after 120 days. The authorities told them to leave Yemen within two months, but this order was later revoked and two of them still live in Yemen.

A person who was at the trial told Human Rights Watch they heard the prosecutor, Zayyed, use derogatory language against the Baha'i community, saying that its members committed hostile acts toward Yemen.

Immediately after an earlier hearing in Haydara's case, on March 8, 2015, Zayyed apprehended two members of the Baha'i community who had been monitoring the trial, Nadim al-Sakkaf and his brother, Nader Tawfiq al-Sakkaf, both told Human Rights Watch. They said that Zayyed tried to get the judge to issue a court order to formalize the arrest but he refused, so after checking their names off a list of members of the Baha'i community and holding them in the courthouse guard booth for two hours, he transferred them to the Political Security Organization's headquarters. Security forces held them for two days, interrogating them several times about their faith and asking for names of other members, then released them without charge.

Local human rights activists have reported that past Yemeni governments also imposed unlawful restrictions on other religious minorities, including Christian, Jewish, and Ismaili individuals. Based on comments she said she heard from NSB officers, Zara'i fears

authorities may deport Haydara to Iran. Punishing citizens with exile is a violation of fundamental rights under international law. Article 12 of the ICCPR states, "No one shall be arbitrarily deprived of the right to enter his own country." The United Nations Human Rights Committee, the international expert committee that monitors compliance with the ICCPR, has interpreted article 12 to mean that this includes exiling or banning citizens based on repressive domestic laws. The committee concluded that, "There are few, if any, circumstances in which deprivation of the right to enter one's own country could be reasonable. A State party must not, by stripping a person of nationality or by expelling an individual to a third country, arbitrarily prevent this person from returning to his or her own country."

Even if Haydara were found not to be a Yemeni citizen, under international law he still may not be deported to a country where he faces persecution or abuse. Because of his Baha'i faith, Haydara would probably face persecution in Iran, Human Rights Watch said.

Haifa, in present-day Israel, has been the Baha'i faith's administrative headquarters since 1868, when the city was under Ottoman rule. The Iranian government, like the Yemeni authorities in Haydara's case, routinely uses the connection to accuse Baha'is in Iran of spying for Israel, with which Iran has hostile relations. The Baha'i faith originated in Iran, but its members suffer severe persecution there, including arbitrary detention and prosecution related solely to their religious activities, restrictions on access to higher education, confiscation of property, and destruction and desecration of their cemeteries. Iran's judiciary often charges and convicts Baha'is of unlawful links with foreign governments, including Israel. Seven leaders of the Iranian Baha'i community are serving prison sentences, ranging from seven to 20 years, on charges that include propaganda against the state and espionage on behalf of foreign governments.

"The prosecution of Hamed Kamal bin Haydara is symbolic of the broader attack on Yemen's Baha'i community," Stork said. "If the current authorities want to show the world that they represent an inclusive Yemen, they need to release him and anyone else being held for their opinions and beliefs."

Four Catholic nuns among the dead in massacre by gunmen in Yemen

Religion News Service (04.03.2016) - <http://bit.ly/1VVkMw2> - Four nuns from the order founded by Mother Teresa of Calcutta are reportedly among 16 killed by gunmen who attacked a church-run retirement home in Yemen, the latest attack on Christians in the increasingly lawless country.

The women religious, members of the Missionaries of Charity, were killed when four armed men attacked the convent and home for the elderly in the southern city of Aden on Friday (March 4), the Catholic news agency Fides reported.

Two of the nuns were Rwandan, while one was from Kenya and another Indian, Fides said.

There were no immediate claims of responsibility but Yemen, on the southern edge of the Arabian Peninsula, is in the midst of a civil war that is also fueled by the involvement of outside nations.

The Islamic State group and al-Qaida affiliates have exploited the lawlessness and created safe havens in the south, where they have conducted numerous attacks.

In the summer, a Catholic church was burned by Islamic extremists. Unknown assailants have also vandalized a Christian cemetery and last year blew up an abandoned Catholic church.

Yemen's embattled government, backed by a Saudi-led coalition, is based in Aden but has struggled to impose its authority there. Shiite Houthi fighters allied with Iran still control the country's capital, Sanaa.

Aden was once one of the world's busiest ports and home to thriving Hindu and Christian communities, which have now largely disappeared.

One nun who survived Friday's attack and was rescued by locals told The Associated Press that she hid inside a refrigerator in a storeroom after hearing a Yemeni guard shouting "run, run."

Another survivor said that in addition to the four nuns, six Ethiopians, one Yemeni cook, and Yemeni guards were among the dead. There are about 80 elderly and disabled residents of the facility.

Security officials said the attackers separated the nuns from the others and then shot them. They later handcuffed the elderly people and opened fire.

More than 6,000 people have been killed in the Yemen conflict since last March, while 28,500 people have been injured, according to U.N. figures.

The Missionaries of Charity was founded by Mother Teresa in 1950 and the congregation has since expanded globally from its Indian origins.

Mother Teresa died in 1997 and is expected to be made a saint later this year, after Pope Francis signed a decree attributing a miracle in Brazil to the late nun.
