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Statement by the Spokesperson on the release of members of the Baha'i community

EEAS (31.07.2020) - <https://bit.ly/3fprzGU> - The European Union welcomes the release of members of the Baha'i community by the movement Ansar Allah after their prolonged detention. One of those detained had been imprisoned since 2013 and was sentenced to death. The EU and its Member States have consistently advocated for the immediate release of all detained individuals.

The spread of coronavirus in Yemen and appalling conditions in detention facilities throughout the country made their release even more urgent. This gesture is a step in the right direction, contributing to building confidence and bringing the resumption of the peace process in Yemen closer. We commend the efforts of the UN, notably the UN Special Envoy to Yemen, in securing the release of the members of the Baha'i community, as well as the generous facilitation of the Ethiopian government.

Nobody should be persecuted on the basis of their belief or political affiliations. The EU recalls that freedom of thought, conscience and religion, are fundamental rights which must be guaranteed under all circumstances according to article 18 of the International Covenant on Civil and Political Rights which Yemen has signed up to and ratified.

The EU calls on all parties to replicate such gestures throughout the whole country and put an end to the conflict by engaging with the efforts of the UN Special Envoy.

Six prominent Baha'is released

BIC (31.07.2020) - www.bic.org/brussels - Six prominent Baha'is imprisoned by the Houthi authorities in Sana'a have today been released, the Baha'i International Community can confirm.

Following these releases, the Baha'i International Community calls for the lifting of all charges against these six individuals and the other Baha'is charged, the return of their assets and properties, and, most importantly, the safeguarding of the rights of all Baha'is in Yemen to live according to their beliefs without risk of persecution.

"We welcome the releases today yet remain gravely concerned," said Diane Ala'i, Representative of the Baha'i International Community. "As Yemen's search for durable,

societal peace continues, Baha'is must be able—like all Yemenis—to practice their faith safely and freely, in keeping with the universal principles of freedom of religion or belief. This is not possible until the charges are lifted.”

“The Baha'i International Community expresses its gratitude to the UN Special Envoy for Yemen as well as the Office of the UN High Commissioner for Human Rights. We also thank those governments and non-governmental organizations that have provided their support throughout this process.”

The six Baha'is—Mr. Hamed bin Haydara, Mr. Waleed Ayyash, Mr. Akram Ayyash, Mr. Kayvan Ghaderi, Mr. Badiullah Sanai, and Mr. Wael al-Arieghie—were wrongfully imprisoned in Sana'a for several years on the basis of their beliefs and made to face a series of baseless charges.

'Welcomed' pardon for Baha'i prisoner sentenced to death

Human Rights Without Frontiers also welcomes the pardon of Hamed bin Haydara, calls for the release of the other Baha'i prisoners and for the lifting of the 2018 charges against a group of over 20 Baha'is

By Steve Jacobs

The Sydney Morning Herald (31.03.2020) - <https://bit.ly/2XhWypW> - A Baha'i follower, sentenced to death in Yemen by the Houthi rebels who control the capital, Sanaa, has been pardoned by the President of the Supreme Political Council, in a surprising move that has been welcomed by the Bahai International Community, which has called for its immediate implementation.

Hamed bin Haydara has been in prison in Sanaa since 2013, charged with spying for Israel and converting Muslims to the Baha'i faith.

Baha'i man Hamed bin Haydara - here with his family - was sentenced to death by a Yemeni court on charges of spying for Israel and converting Muslims to the Baha'i faith.

He was sentenced to death in absentia by a judge of the Specialised Criminal Court controlled by the Houthis in 2018.

He had faced a series of court hearings since January 2015, often with lengthy delays and cancellation of sessions in between.

An execution date was not announced, but the judge ordered that it be carried out in public.

Natalie Mobini, director of the Office of External Affairs for the Australian Baha'i Community, said then the charges were baseless.

"The charge of spying relates solely to the location of the Bahai World Centre, which has been located in the Holy Land since the 19th century, long before the creation of Israel.

"Furthermore, Baha'i teachings forbid proselytising. An individual's decision about whether to become a Bahai is entirely up to them.

"Mr Haydara has not committed any crime, let alone one that warrants the death penalty."

On March 22, the grim news came that the Court of Appeals in Sanaa had upheld the death sentence. Haydara was not allowed to attend court.

In response, [Amnesty International's Middle East research director Lynn Maalouf said](#), "this decision, taken in Hamed Haydara's absence, is only the latest development in what has been a flagrantly flawed trial and indicates the lengths to which the Houthis are willing to go to consolidate their control.

"There is no question that Hamed Haydara is being sentenced to death solely for his conscientiously held beliefs and peaceful activities. We urge the Houthi authorities to quash his death sentence, and immediately and unconditionally release him."

A few days later, in what the Australian Baha'i community calls "a welcomed turn of events", Mahdi al-Mashat ordered a pardon for Haydara and the release of all Baha'i prisoners.

The others to be released were named as Waleed Ayyash, Akram Ayyash, Kayvan Ghaderi, Badiullah Sanai and Wael al-Arieghie.

The [Baha'i International Community called for the order to be implemented immediately](#).

"The order must lead to the lifting of the 2018 charges against a group of over 20 Baha'is, the returning of all Bahai-owned assets and properties, and the functioning of Baha'i institutions," Diane Alai, representative of the Baha'i International Community to the United Nations in Geneva, said.

"Like all other Yemeni citizens, Baha'is should be permitted to practise their faith freely, in keeping with the universal principles of freedom of religion or belief."

More than 240 prisoners have been released in government-held areas as a precaution against the spread of coronavirus, officials there said.

Yemen, the Arab world's poorest country, which is mired in a bloody civil war, has not yet detected any cases of the coronavirus, most likely because of its weak disease surveillance systems.

The civil war erupted in 2014 when the Shiite Houthis, backed by Iran, seized Sanaa along with much of the country's north, ousting president Abed Rabbo Mansour Hadi.

Months later the Saudi-led Arab coalition intervened to try to restore Hadi's internationally recognised government.

The war has killed more than 100,000 people, many by Saudi-led air strikes. It has led to the world's worst humanitarian crisis, leaving millions suffering from food and medical shortages.

The Baha'i faith originated in Iran in 1844. Since the 1979 Iranian Revolution, the Iranian Baha'i community has undergone severe persecution.

HRWF Comment

As of 1 April 2020, HRWF's Prisoners Database had documented five Baha'is being held on death row in Yemen (see <https://hrwf.eu/prisoners-database/>).

Charges against Baha'is are often based on these articles of the Yemeni Criminal Code:[1]

- Article 125: violating the independence, unity or territorial integrity of the Republic, punishable by death.
- Article 128: working in the interests of a foreign state, provision or exchanging of information with a foreign government, punishable by death.
- Article 195: ridicule, contempt or claiming inferiority of the Islamic religion, punishable by imprisonment of five years or a fine.
- Article 259: leaving or denouncing the religion of Islam after being given the opportunity for repentance three times and respite of thirty days, punishable by death. Apostasy in public by speech or acts is considered contradictory to the principles of Islam.

On 26 September 2019, the Human Rights Council of the UN adopted a resolution expressing its concerns about the egregious violations of international humanitarian law and human rights law, including the severe restrictions of freedom of religion or belief for minorities such as the Baha'i faith.[2]

The UN report on the "Situation of human rights in Yemen" published on 9 August 2019 highlighted the authorities' continued persecution of the Baha'is on the basis of their beliefs. This includes detaining and charging them with apostasy, openly deriding and demonising the Baha'i faith in legal filings, issuing death sentences and threatening their supporters.[3]

Additionally, the persecution of Baha'is in Yemen was outlined in a press release published by the Baha'i International Community.[4]

On 4 October 2018, the European Parliament adopted a resolution on the situation in Yemen that condemned the systemic campaign of harassment, arbitrary and abusive detentions, and forced disappearances and torture against religious minorities. At that time, twenty-four Baha'is, including one child, were facing charges that could result in the death penalty due to their beliefs.[5]

¹ <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/83557/92354/F1549605860/YEM83557.pdf>

² <https://undocs.org/A/HRC/RES/42/2>

³ Situation of human rights in Yemen, including violations and abuses since September 2014. 40 session. September 2019. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/240/87/PDF/G1924087.pdf?OpenElement>

⁴ <https://news.bahai.org/story/1285/>

⁵ https://www.europarl.europa.eu/doceo/document/TA-8-2018-0383_EN.html?redirect

Yemen Houthis uphold death sentence for Baha'i, community says

France 24 (23.03.2020) - <https://bit.ly/3dpXNJ5> - A court run by Yemen's Huthi rebels has upheld the death sentence of a Baha'i over his religion in defiance of international appeals, the community said Monday.

Hamed bin Haydara, who has been detained since 2013, was not allowed into Sunday's hearing in the capital Sanaa that rejected his appeal against the sentence imposed more than a year ago, the community said.

The Baha'i International Community in a statement said it was "utterly dismayed at this outrageous verdict" and urged the court to overturn it.

"At a time when the international community is battling a global health crisis, it is incomprehensible that the authorities in Sanaa have upheld a death sentence against an innocent individual solely because of his beliefs instead of focusing on safeguarding the population, including Baha'is," said Diane Ala'i, the community's representative to the United Nations in Geneva.

The United States and other nations as well as human rights groups have voiced alarm over the Huthi rebels' treatment of Yemen's small Baha'i community.

The rebels are linked to Iran, whose Shiite clerical regime bans the Baha'i faith, even while granting religious freedom to other minorities including Christians and Jews.

The Baha'i faith was founded in the 19th century by an Iranian, the Baha'u'llah. Believers consider him a prophet, a sharp contrast with the orthodox Islamic view that Mohammed was God's final messenger.

The Baha'i faith calls for unity among religions and equality between men and women. Haydara is one of six Baha'is detained by Yemen's Huthi rebels and has spent months in prison where he suffered beatings and electric shocks, according to the community.

Huthi courts have started prosecution of more than 20 Baha'is and called for the dissolution of the faith's institutions in Yemen.

The Huthis control much of Yemen despite a US-backed military campaign led by Saudi Arabia, which has been widely criticized for attacks that have killed civilians.

USCIRF deplores Houthi order to execute Hamid bin Haydara and dissolve Baha'i institutions in Yemen

USCIRF (23.03.2020) – The United States Commission on International Religious Freedom (USCIRF) decries Sunday's verdict by a [Houthi Appeals court](#) that re-affirms a [death sentence](#) against Yemeni Baha'i leader and USCIRF religious prisoner of conscience [Hamid bin Haydara](#). The court also upheld a decision ordering the dissolution of Baha'i institutions in Yemen.

"Houthi authorities must immediately release [Hamid bin Haydara](#) and cease their persecution of Baha'is," said USCIRF Commissioner [Johnnie Moore](#) who advocates for Mr. bin Haydara as part of USCIRF's [Religious Prisoners of Conscience Project](#). *"We condemn this verdict and urge Democrats and Republicans to press the Houthis to release Mr. bin Haydara and drop the spurious charges against members of Yemen's Baha'i community."*

On December 3, 2013, Houthi authorities arrested and detained bin Haydara, holding him without charges in a prison for more than a year. In January 2015, he was charged falsely with spying for Israel, teaching literacy classes deemed incompatible with Islam, and attempting to convert Muslims. A judge sentenced bin Haydara to death on January

2, 2018 and ordered the closure of Baha'i institutions. After a series of hearings and delayed rulings throughout 2019, a Houthi appeals court upheld this verdict on March 22, 2020. Twenty-four other members of Yemen's Baha'i community face charges as well, some of which [carry a penalty of capital punishment](#).

"This alarming decision is an egregious violation of religious freedom and the fundamental rights of Yemeni Baha'is," stated USCIRF Vice Chair [Gayle Manchin](#). *"USCIRF has been long concerned with the welfare of Mr. bin Haydara and the Yemeni Baha'i community. We call on Houthi authorities to immediately reverse this verdict and cease their baseless persecution of this peaceful religious minority."*

USCIRF [recommended](#) the Houthis as an entity of particular concern (EPC) in its 2019 Annual Report.

The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan federal government entity established by the U.S. Congress to monitor, analyze, and report on threats to religious freedom abroad. USCIRF makes foreign policy recommendations to the President, the Secretary of State, and Congress intended to deter religious persecution and promote freedom of religion and belief. To interview a Commissioner, please contact USCIRF at media@uscirf.gov or Danielle Ashbahian at dashbahian@uscirf.gov.