

Protecting the Rights of Minorities and Marginalized Groups in Yemen Amidst Conflict

Nader Al-Sakkaf



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Executive Summary

The Yemeni population is diverse, with a mosaic of ethnic, religious, linguistic, and cultural groups coexisting within its borders. However, this diversity has also been a source of tension, particularly in a socio-political context where power is concentrated in the hands of a few dominant groups. Yemen's rich cultural and historical legacy is contrasted by its tumultuous political instability, economic turmoil, and widespread conflict. The ongoing conflict has not only fragmented the state but has also deepened sectarian and ethnic divisions, further marginalizing vulnerable communities.

At the outset, marginalization of communities in Yemen is mainly based on religion, caste, and ethnicity. These are also influenced by economic status, social hierarchies, and political dynamics. This policy paper will be confined to religious minorities of the Baha'i, Christian and Jewish Yemeni communities, and ethnic minorities of the Muhamashin (Yemenis of African descent) and Mualadin (mixed race Yemenis).

While ethnic minorities continue to be discriminated against and marginalized, religious minorities, in addition to marginalization, have faced persecution, particularly in areas controlled by extremist groups like the Houthis.

The socio-political landscape of Yemen has been further complicated by external interventions, with regional powers through their respective proxies. This has turned Yemen into a proxy battlefield, further complicating efforts to achieve a lasting peace. The ongoing conflict has created a vacuum in which extremist ideologies have flourished, exacerbating the plight of minority groups and leading to widespread human rights violations.

The current conflict, which began in 2014, has brought the issue of minority rights to the forefront, as extremist groups have targeted religious and ethnic minorities in their quest for power. The Houthis, who adhere to the Zaidi sect of Shia Islam, have been particularly aggressive in their persecution of religious minorities, viewing them as a threat to their vision of an Islamic state. The conflict has also led to the displacement of thousands of minorities, with many fleeing to neighboring countries or seeking asylum in Europe and North America.

Protecting minority rights in Yemen is not only a matter of justice but also a crucial component of any sustainable peace process. This policy paper aims to comprehensively analyze minority rights in Yemen, focusing on the Al-Muhamashin, Baha'i, and Christian communities and answer a critical question: How can Yemen protect the rights of minorities and marginalized groups amidst ongoing conflict and state collapse?

In addition to a desk top research of existing literature, primary data was collected through semi-structured interviews with seven individuals from the Al-Muhamashin, Baha'i, and Christian communities, keeping the gender balance in mind, as well as members of the non-governmental organizations (NGOs), and journalists with insights into the broader social and political context. Given the precarious security situation in Yemen, the interviews were conducted confidentially and sensitively.

Additionally, a survey was distributed to minority individuals across Yemen, receiving feedback from thirteen respondents of the Al-Muhamashin, Baha'is, and Christians. The questionnaire collected quantitative data on their socio-economic conditions, experiences of discrimination, and views on the ongoing conflict and peace process. The survey included questions on access to education, healthcare, employment opportunities, and political participation.

This study finds that the legal framework in Yemen has historically failed to protect minority rights, particularly in the context of religious freedom. This is true despite the fact that Yemen is signatory to several international treaties that require the Yemeni state to protect minorities, and that the Yemeni constitution clearly states equality before the law regardless of religion, sect or ethnicity.

The study also confirms findings from other research that the "protracted conflict in Yemen, which has lasted for more than seven years (now ten years), has exacerbated the country's already severe humanitarian crisis, leading to widespread violations and abuses, including unlawful attacks, forced displacement, and severe food insecurity" (Human Rights Watch, 2023).

This systemic discrimination has far-reaching consequences for the affected communities, including limiting their access to education, healthcare, and employment opportunities. The marginalization of these groups also contributes to their economic disenfranchisement, trapping them in a cycle of poverty and exclusion. Addressing this discrimination is essential for achieving social justice and ensuring that all citizens of Yemen can participate fully in the nation's life.

By examining the socio-economic, legal, and political challenges these groups face, this paper highlights the urgent need for targeted interventions and reforms. The recommendations proposed herein are designed to improve these communities' protection, inclusion, and representation in Yemen's rebuilding process, contributing to a sustainable peace and inclusive Yemeni society.

Key Recommendations

To advance the rights and inclusion of minorities in Yemen, this paper proposes the following strategic recommendations, drawn from comparative conflict zone experiences and adapted to Yemen's current realities:

Urgent Priorities (Can Begin During Conflict)

- ◆◆ Establish local-level representative councils, including minority voices (e.g., Al-Muhamashin, religious groups), modeled on Afghanistan's post-2001 village councils.
- ◆◆ Ensure humanitarian aid is inclusive by involving minority representatives in planning and targeting.
- ◆◆ Launch localized anti-discrimination campaigns using trusted community leaders and culturally tailored messaging.

Medium-Term Actions (During Transition or Partial Peace)

- ◆◆ Expand mobile legal aid and legal awareness programs for marginalized groups, drawing on Colombia's community justice strategies.
- ◆◆ Support international investigations and targeted sanctions against individuals responsible for mass violations, as seen in the Yazidi case in Iraq.

Post-Conflict Reforms (Long-Term Structural Change)

- ◆◆ Reform national laws to eliminate systemic discrimination (e.g., apostasy laws) and align with international minority rights frameworks (e.g., the International Covenant on Civil and Political Rights (ICCPR), and the United Nations General Assembly (UNGA) Declaration on Minorities).
- ◆◆ Introduce constitutional or legislative quotas for political representation of minority communities, drawing on lessons from Colombia and Afghanistan.
- ◆◆ Develop inclusive education, healthcare, and housing programs tailored to the needs of historically excluded groups, modeled on Rwanda's post-genocide social reintegration efforts.

Introduction and Historical Context

The history of minority rights in Yemen is deeply intertwined with the region's broader history, which has seen various powers and empires exert control over the territory. During the pre-Islamic period, Yemen was home to diverse tribes and communities, each with its own customs and beliefs. The advent of Islam in the 7th century brought significant changes to the social and legal structure of the region, with Islamic law becoming the dominant legal framework.

Under Islamic rule, non-Muslims were granted the status of “dhimmi” a protected class that allowed them to practice their religion in exchange for paying a special tax (jizya)¹. While this system provided some level of protection through the dhimmi framework, it also institutionalized a hierarchy in which non-Muslims were considered second-class citizens. Article 3 of Yemen's Constitution (1994) explicitly designates Islamic Sharia as the sole source of legislation, ensuring that legal norms are grounded in religious doctrine (Yemen 2015 Constitution - Constitute, 2015, p. 3).

This framework is reinforced in Law No. 21 of 1992 on Evidence, which conditions legal testimony on moral uprightness (‘adl)—a term traditionally interpreted through Islamic standards that may exclude non-Muslims (Art. 27) (Office of the Attorney General, 2021). Moreover, Article 68 of the same law requires non-Muslims to request special procedures for oath-taking, separating them from standard court practice (Office of the Attorney General, 2021). Together, these provisions embed a legal structure in which equal citizenship is compromised by religious status. Over time, this legal framework became deeply entrenched as Yemen's judiciary and political elites continued to draw legitimacy from Islamic legal traditions, while the absence of strong anti-discrimination protections allowed such practices to persist.

¹ As they were exempted from paying the taxes, Muslims paid a tax known as Zakah.

As a result, discrimination against religious minorities became normalized in both law and daily life.

The Ottoman Empire, which controlled Yemen from the 16th to the early 20th century, continued the broader Islamic legal tradition in which non-Muslims were given protected but subordinate status under the dhimmi system. Historical records indicate that obligations such as the jizya tax were imposed on non-Muslims in regions including Yemen as early as the early Islamic period, reinforcing a structured legal hierarchy (Kousar and Hayyat, 2023, p. 7).

Following the fall of the Ottoman Empire, the Zaydi Imamate in North Yemen continued to enforce a legal system in which Jewish minorities were systematically subordinated through formal decrees. As Alwuraafi notes, 'These discriminatory regulations continued to be an obligatory part of the state law until the 1950s,' including laws that restricted Jewish movement, dress, legal rights, and even prohibited Jews from defending themselves if attacked." (Alwuraafi, 2021, p. 26).

The new Yemeni state continued to operate under a legal framework heavily influenced by Islamic law. As previously established, Article 3 of the 1994 Constitution designates Islamic Sharia as the sole source of legislation—an arrangement that institutionalizes religious doctrine at the heart of the legal system and leaves minority rights largely unaddressed.

The 1962 revolution, which led to the establishment of the Yemen Arab Republic, brought about significant political and social changes. However, these changes did not extend to minority rights. The new government focused on consolidating power and addressing the immediate challenges of state-building, with little attention given to the protection of minorities. Prior to unification, South Yemen's political structure was dominated by feudal and religious institutions such as sultans' and tribal councils and Islamic courts. Abu-Amr notes that while these traditional bodies existed, "cabinets, budgets, social or economic institutions did not exist" (Abu-Amr, 1986, p. 36).

Following the 1967 revolution, the People's Democratic Republic of Yemen (PDRY) sought to dismantle these traditional authorities as part of its Marxist transformation. However, in doing so, it replaced them with a centralized ideological model that did not accommodate religious pluralism or minority identities.

In recent years, the plight of the Baha'i community in Yemen has garnered international attention, particularly following a series of high-profile arrests, arbitrary detentions, and trials orchestrated by the Houthi de facto authorities. The Baha'is, a religious community that forms an integral part of Yemeni society and emphasizes the unity of all religions and humanity, have been targeted by the Houthis due to their faith. Although accurate statistics are difficult to obtain, it is estimated that a few thousand Yemeni Baha'is remain in the country today (Baha'i International Community, 2024).

Their presence in Yemen dates back to the mid-19th century, when early believers passed through ports such as Mocha en route to visit Bahá'u'lláh—the founder of the Baha'i faith—during his exile in Acre. Over time, Baha'is settled across major cities, including Aden, Sana'a, Taiz, and Hadhramaut, contributing notably to the development of modern healthcare, pharmacy, dentistry, and public service in Yemen (Baha'is of Yemen, 2015).

Despite this enduring legacy, the community has faced increasing repression under Houthi rule. Reports from Amnesty International (2024)² and Human Rights Watch (2023)³ have documented cases of arbitrary detention, forced disappearances, and other forms of persecution against Baha'i community members.

These organizations have highlighted the severe and systemic discrimination faced by minority groups in Yemen, particularly in the context of the ongoing conflict.

The Christian community in Yemen has faced significant challenges in practicing their faith. Most are converts from Islam or foreign workers and must live their religious identity in secrecy, as conversion is both socially taboo and legally prohibited. According to the U.S.

Department of State, there are approximately 3,000 Christians in the country, primarily refugees or temporary foreign residents, with only four recognized churches located in Aden (Bureau of Democracy, Human Rights and Labor, 2008).

Christians continue to face persecution by both state and non-state actors, including threats of arrest, social exclusion, and violence by Islamic extremist groups and local authorities. As Joseph (2023, p. 5) observes, "Yemeni Christians... must live out their faith in secret... and face threats from both family and Islamic extremists who threaten apostates with death."

2 Amnesty International, 'One Year On, Huthis Must Release Baha'is Arbitrarily Detained over Their Religion and End Persecution of Minorities in Yemen' (AmnestyInternational23May2024)<<https://www.amnesty.org/en/latest/news/2024/05/yemen-one-year-on-huthis-must-release-bahais-arbitrarily-detained-over-their-religion-and-end-persecution-of-minorities/>> accessed 30 August 2024.

3 Human Rights Watch, 'Yemen: Houthis Forcibly Disappear Baha'is' (Human Rights Watch30 May 2023) <<https://www.hrw.org/news/2023/05/30/yemen-houthis-forcibly-disappear-bahais>> accessed 30 August 2024.

The rise of extremist groups in Yemen has further exacerbated the risks faced by Christians, with reports of attacks on churches and the forced conversion of individuals, this has led to a decline in the Christian population in Yemen, as many have fled the country in search of safety and the freedom to practice their religion, despite these dangers, underground Christian worship and community life persist (Confidential interview with a Yemeni Christian, 2024). The erosion of religious diversity in Yemen is a significant loss to the country's cultural heritage and highlights the urgent need for policies that protect religious minorities.

While the constitution provides for the freedom of religion, this right is not respected in practice, particularly for non-Muslims. Christian converts in Yemen have been targeted under apostasy laws, with some facing arrest and being forced to recant their faith under duress, contributing to a pervasive climate of fear among religious minorities (Weiner, 2021a, p. 3).

In fact, the legal frameworks in Yemen have historically failed to protect minority groups, with laws against apostasy and conversion from Islam being used to justify the persecution of religious minorities, contributing to a climate of fear and repression (OHCHR, 2018, p. 14).

In terms of ethnic minorities, historically, Yemen has been characterized by a rigid social hierarchy, with the Al-Muhamashin at the bottom of the social ladder. The Al-Muhamashin (marginalized ones; previously called Al-Akhdam, meaning 'Servants') community of Yemen presents a history of marginalization, discrimination, and oppression. They are often relegated to 'impure' or 'impious' tasks, facing both racial and work-and-descent-based discrimination" (Raj, 2022, p. 2).

This community, mainly of African descent, has been systematically excluded from mainstream society, relegated to menial jobs, and denied access to education, healthcare, and other essential services (Confidential interview with a Yemeni Journalist, 2024).

In the 70s and 80s, the PDRY government implemented sweeping socialist reforms, including the nationalization of land and industries, and actively sought to dismantle tribalism and traditional hierarchies. These reforms aimed to redress entrenched social inequalities, including those affecting historically marginalized groups such as Al-Muhamashin and Al- Mualadin—a term used in Yemen to describe individuals of mixed heritage, typically with maternal African descent.

The government's ideological framework emphasized empowering workers, peasants, and the socially excluded through revolutionary councils and land redistribution, replacing tribal and elite dominance with class-based representation (Halliday, 1985, p. 37).

However, despite these efforts, the regime also struggled with internal dissent and did not fully address the rights and protections of minority groups, such as the Al-Muhamashin. The state's focus remained primarily on political consolidation and combating perceived counter-revolutionary threats. The subsequent unification of North and South

Yemen in 1990 further complicated the issue, as the newly unified state grappled with reconciling the differing legal, social, and political systems of the two regions, leaving minority rights largely unaddressed amidst the broader challenges of integration.

Personal Testimonies on the Reality of Yemeni Minorities in Current Times

Demographics and Representation of Minorities in Yemen

The demographic analysis of Yemen's minority communities reveals significant diversity, with each group facing unique challenges related to their social, economic, and political status. The Al-Muhamashin, who are predominantly of African descent, represent one of the largest and most marginalized minority groups in Yemen. Although their exact population remains uncertain, unofficial estimates range from 500,000 to 3.5 million, as reported by the United Nations High Commissioner for Human Rights (UNHRC, 2015, p. 15).

Despite their large numbers, the Al-Muhamashin remain politically underrepresented. During Yemen's 2013–2014 National Dialogue Conference (NDC), the community was represented by just one out of 565 delegates (Minority Rights Group, 2023).

While the NDC outcomes included a provision for “fair national policies and procedures to ensure marginalized persons' access to decent housing, basic public services, free health care, and job opportunities,” the outbreak of civil conflict prevented any real implementation of these reforms. Marginalized communities, including ethnic and religious minorities, remain largely absent from political processes and decision-making bodies, perpetuating their exclusion and invisibility within Yemen's political landscape (Amnesty International, 2024a, p. 410-11).

The Baha'i community, though smaller in number, faces intense persecution, particularly from the Houthi de facto authorities, who view them as Infidels. The Baha'is have been subjected to arbitrary detention, enforced disappearance, and show trials with the intent of eradicating their presence in Yemen.

As UN human rights experts stated on the anniversary of a mass abduction, “Bahá’ís and members of other religious minorities have been subjected to detention, torture, acts tantamount to enforced disappearance, and ill-treatment... Some were sentenced to death for professing their religion in judicial proceedings that failed to meet fair trial guarantees” (OHCHR, 2024b).

This has led to a climate of fear within the community, forcing some to flee the country or practice their faith in secrecy. As noted earlier, the Al- Muhamashin were the only minority community with formal representation in the NDC, through a single delegate out of 565. No other minority group was included.

Although small in number, the Christian community in Yemen faces extreme challenges in practicing their faith. Most Christians are either converts from Islam or foreign workers, and they must worship in secrecy to avoid threats of arrest, family rejection, or death.

The 2023 U.S. International Religious Freedom Report, citing Armed Conflict Location and Event Data (ACLED), notes that Christian converts have been targeted by Houthi authorities through “judicial harassment on charges of apostasy,” as well as by threats and home raids (International Religious Freedom, 2024, p. 15).

The NGO Open Doors further reports that Christians are systematically excluded from humanitarian assistance and face social marginalization, with some hospitals reportedly refusing to treat them (International Religious Freedom, 2024, p. 23).

Despite these pressures, a small number of Christians continue to worship in home gatherings or online networks, maintaining their faith under dangerous conditions.

Socio-Economic Conditions

The socio-economic conditions of minority groups in Yemen are dire and have been further exacerbated by the ongoing conflict. The Muhamashin community in Yemen has endured entrenched marginalization across nearly every aspect of life. Historically excluded from Yemen's tribal and social structures, they are typically confined to menial and stigmatized jobs such as garbage collection, shoe-shining, or street cleaning, and reside in slum areas on the outskirts of cities with limited access to water, sanitation, education, and healthcare (Minority Rights Group, 2023).

Discrimination also manifests in restrictions on marriage, social exclusion, and systemic barriers to formal employment. The ongoing war has exacerbated these conditions: displaced Muhamashin often face rejection from shelters and are frequently excluded from humanitarian assistance by local authorities or tribal gatekeepers. Reports document cases in which aid officials, under pressure from local leaders, deliberately omitted Muhamashin from beneficiary lists. In many areas, girls have been forced into early marriage and boys recruited into armed groups—illustrative of broader patterns of structural neglect and exploitation.

As Al-Warraq powerfully states, “No community in Yemen has suffered the consequences of the current war as harshly as the Muhamashin... a Yemeni underclass that has experienced centuries of discrimination, exploitation and poverty” (Al-Warraq, 2019).

Furthermore, education levels among the Muhamashin are particularly low: just one in five individuals aged 15 or over can read or write, and only half of children between the ages of 6 and 17 are enrolled in school, according to UNICEF (2015).

These figures highlight the community's chronic exclusion from basic educational services, contributing to a cycle of poverty and limited social mobility.

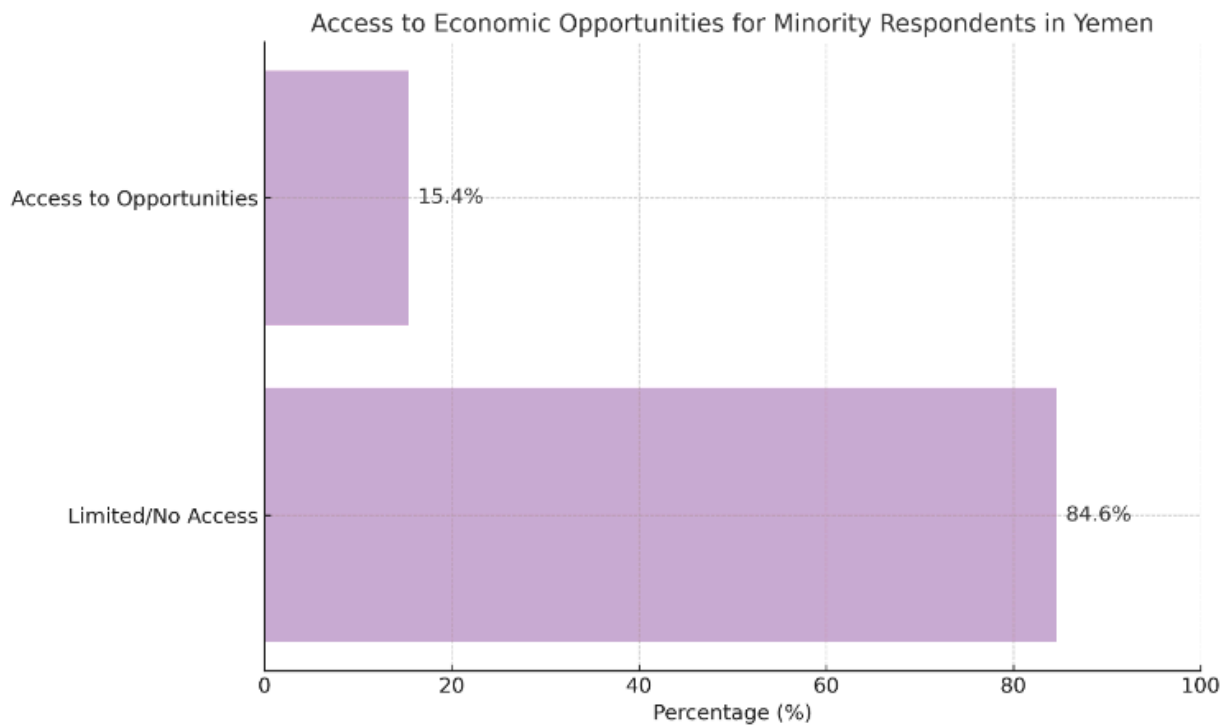


Figure 1: 84.6% said the economic situation of their community is “very bad.” - Source: Author’s Survey, 2024

A Baha’i respondent described a pervasive climate of fear, where openly practicing their faith often results in loss of livelihood, social ostracization, and economic exclusion. Although Yemeni identification documents do not indicate religious affiliation, many Baha’is are easily recognized within their communities due to longstanding social relationships, past public religious activities, or surveillance by local authorities.

In areas under Houthi control, Baha’is reported being blacklisted from accessing banking services, with some experiencing the seizure of their accounts after being identified—whether through word-of-mouth, historical affiliation records, or targeted investigations.

Business owners have faced economic retaliation, including forced closures and relocation due to harassment. Civil society organizations (CSOs) associated with the Baha'i community have also been targeted, with several reporting office raids and vandalism by Houthi authorities.

These incidents often followed public incitement by religious figures accusing Baha'is of engaging in "soft war" or acting on behalf of foreign entities. As a result of this systemic persecution, many Baha'i families have been forced into precarious economic conditions, prompting some to flee the country or live under sustained hardship (Confidential interview with a Yemeni Baha'i, 2024).

The Christian community in Yemen faces similar socio-economic challenges, particularly in areas controlled by extremist groups. While religious affiliation is not officially recorded on identification documents, Christians are often identified through longstanding community knowledge, prior public religious activities, or surveillance by local authorities and non-state actors.

In many cases, those who have converted from Islam are already known to their families and communities, which increases their exposure to discrimination. Several Christians have reported being denied access to public services such as healthcare or education, either due to explicit refusal by service providers or through indirect exclusion based on their perceived religious affiliation.

Others face pressure and hostility in the workplace, leading to job loss or forced resignation. This pattern of socio-economic marginalization has contributed to the steady decline of the Christian population in Yemen, as many are compelled to flee the country or live in extreme isolation to avoid persecution (Confidential interview with a Yemeni Christian, 2024).

Political Participation

Minority groups' political participation in Yemen is virtually non-existent, particularly in the context of the ongoing conflict. Yemen's legal framework does not provide for the representation of minorities in political institutions, and there are no mechanisms to ensure their inclusion in decision-making processes. The NDC occurred between 2013 and 2014 and included one representative from minority groups, from the Al-Muhamashin. However, this was the exception rather than the norm.

Do you feel your community is adequately represented by the government/local or national councils?

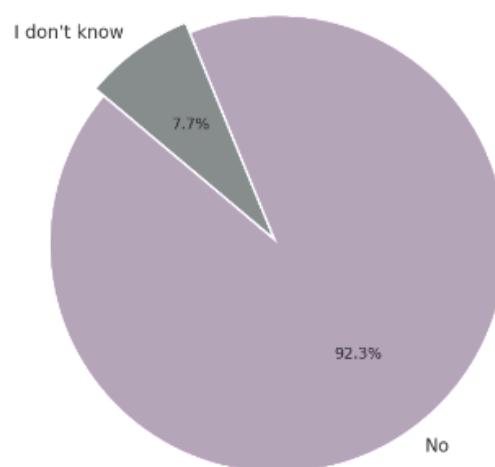


Figure 2: 92.3% said "No," 7.7% said "I don't know" when asked if their community is adequately represented in government - Source: Author's Survey, 2024

The inclusion of two minority representative in the NDC was seen as a positive step towards greater inclusivity, but it did not lead to meaningful changes in the political landscape. Since the outbreak of the conflict, the political space for minority groups has shrunk further, with many minorities being excluded from the peace process and other critical political or policy- shaping spaces. This exclusion has left minority groups without a voice in the decision-making processes that affect their lives, further entrenching their marginalization.

The lack of political representation and participation has also contributed to a sense of disenfranchisement among minority communities, leading to increased vulnerability to abuse and neglect (Confidential interview with a Yemeni Journalist, 2024).

Moreover, the existing political institutions in Yemen are not designed to include minority voices. The dominance of tribal and sectarian politics continues to marginalize religious, ethnic, and social minorities, limiting their access to political representation, resources, and decision-making power. Yemen's tribal system, while historically a source of localized order and dispute resolution, reinforces exclusionary structures by centering power within specific lineage-based networks. As Ghanem notes, in the absence of effective state institutions, tribes have provided "a social order and an alternative justice system based on consensus-building that is faster and more accessible than formal courts" (Ghanem, 2019, p. 10).

However, this same system inherently privileges those with tribal affiliations, leaving minorities, such as the Muhamashin, Baha'is, and Christians, without access to either tribal protection or formal political platforms. In addition, sectarian politics in Yemen have solidified political exclusion. As El Rajji explains, the intersection of identity, power, and loyalty has contributed to the systemic marginalization of groups who do not belong to the dominant sectarian or tribal structures.

This dynamic "has allowed sectarian divisions to take root in politics and governance, undermining attempts at creating inclusive institutions" (El Rajji, 2016, p. 10). Together, these forces have made it nearly impossible for marginalized communities to advocate for their rights through official channels or participate meaningfully in the shaping of national policy. Addressing this entrenched exclusion requires not only political will but also structural reforms that redefine the foundations of representation in Yemen.

This lack of political representation is a significant barrier to achieving equality and justice for minority communities in Yemen, and it underscores the urgent need for political reforms that ensure the inclusion of all citizens, regardless of their ethnic or religious background.

Cultural and Religious Rights

Cultural and religious rights in Yemen are severely restricted, particularly for minority groups. The Baha'i community, for example, has faced significant challenges in practicing their religion, including the formal closure of Baha'i civil society institutions by a Houthi-run court in 2018, which banned all Baha'i organizations and activities in areas under their control (Shuja Al-Deen, Coombs and Olofi, 2021).

This decision effectively criminalized peaceful religious and social engagement, stripping the community of its right to assemble and organize. Alongside this, Baha'is have experienced arbitrary detention, forced displacement, and exile, with religious gatherings increasingly prohibited or surveilled. One Baha'i interviewee described the crackdown as "not only the denial of our faith, but the attempt to erase our existence from public life" (Confidential interview with a Yemeni Baha'i, 2024).

The Houthis have been particularly aggressive in their systematic persecution of the Baha'is, viewing their beliefs as a threat to the Islamic identity of Yemen. These actions have constituted clear violations of the Baha'is' right to religious freedom.

Al-Muhamashin, while primarily Muslims, have also faced cultural discrimination, with their traditional roles as street cleaners and waste workers considered degrading by broader society, and their presence in informal settlements marking them as socially untouchable (Al- Sabahi and Aarya, 2016, p. 56). The ongoing conflict has exacerbated these issues, with minority communities increasingly fearing for their safety and cultural survival.

Are your cultural practices and traditions respected and integrated into wider society?

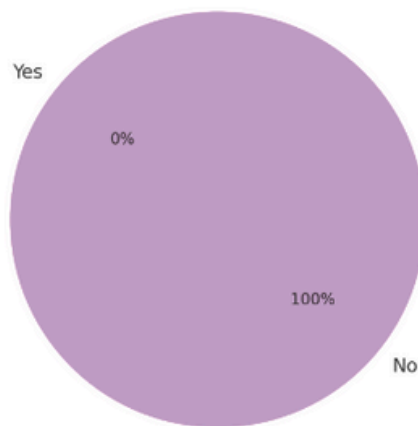


Figure 3: 100% said "No" and 0% said "Yes" to whether their cultural practices are respected and integrated - Source: Author's Survey, 2024

Protection Against Discrimination

Discrimination against minorities in Yemen is deeply entrenched in practice and reinforced by the absence of explicit legal protections. While the law does not 'openly discriminate' based on race or ethnicity, as previously discussed, it also fails to 'provide clear protection of minorities'—a legal gap that leaves marginalized groups vulnerable to exclusion. In the case of religious minorities, the situation is more severe: the Penal Code criminalizes apostasy under Article 259 (Refworld, 1994, p. 62), prescribing the death penalty for those who renounce Islam, in clear violation of international legal standards protecting freedom of religion (United Nations, 1948). The Al-Muhamashin community, for instance, faces widespread discrimination in education, employment, and access to public services.

Al- Muhamashin are often subjected to verbal and physical abuse, particularly in rural areas where social hierarchies remain rigidly enforced. In areas like Qataba and Bajel, they face violent expulsions, denial of aid, and are described in dehumanizing terms by local officials, reflecting caste-like discrimination that continues to shape their lived reality (Al-Warraq, 2019).

Have you or your community experienced discrimination or exclusion?

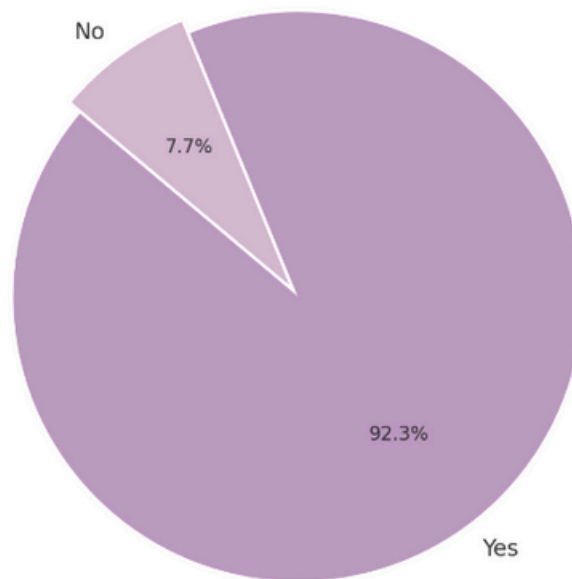


Figure 4: 92.3% of respondents said "Yes" to having faced discrimination or exclusion; 7.7% said "No" - Source: Author's Survey, 2024

In Houthi-controlled areas of Yemen, state-run media and political leaders have been used as tools of incitement against religious minorities. The Baha'i community has been explicitly targeted in televised speeches and public media, where Houthi leaders label them "infidels," "enemies of Islam," and "collaborators with Israel," while spreading conspiracy narratives about their faith, similarly, over 200 Christians, mostly foreign nationals, have been detained and publicly demonized as "foreign agents," reflecting a broader strategy of ideological repression and fear-based propaganda (Miller, 2023, p. 2).

Minorities in Other Conflict Zones of the Region

To better understand the challenges faced by minorities in Yemen, it is helpful to compare the situation with other conflict zones where minority rights have been similarly threatened.

In Iraq, for example, the Yazidi community faced genocide at the hands of the Islamic State of Iraq and Syria (ISIS), with thousands killed, enslaved, or displaced. The international response to the Yazidi crisis has involved significant efforts, including military interventions, humanitarian assistance, and steps toward holding perpetrators accountable through international legal mechanisms (United Nations Human Rights Council, 2016, p. 2).

Similarly, in Syria, the conflict has had devastating effects on religious and ethnic minorities, including Christians, Kurds, and Druze. The rise of extremist groups like ISIS and Jabhat al- Nusra has led to widespread persecution, forcing many minorities to flee the country. The international community's response to the Syrian conflict has been multifaceted, with various countries offering asylum to fleeing refugees. In contrast, others have engaged in military interventions and provided extensive humanitarian aid to mitigate the crisis (International Crisis Group, 2017).

These comparative cases highlight the importance of a comprehensive and coordinated international response to protect minority rights in conflict zones. They also underscore the need for post-conflict justice mechanisms to hold perpetrators accountable and provide reparations to victims.

In Sudan, for instance, the Darfur conflict, which erupted in the early 2000s, led to the systematic targeting of ethnic minorities by government forces and allied militias. The international response included the establishment of the International Criminal Court (ICC) investigations and the indictment of key figures responsible for atrocities.

The serious human rights abuses committed in Darfur, including targeted killings, conflict-related sexual violence, and unlawful forced displacement of civilians, underline the urgent need for stronger international mechanisms to ensure accountability and uphold the rights of affected communities (OHCHR, 2024, p. 2).

In Colombia, for example, Indigenous and Afro-Colombian communities have successfully advocated for their rights during peace, securing recognition of their cultural and territorial rights in the final peace agreement. The Special High-level Forum for Ethnic Peoples stressed the importance of bringing a community-sensitive perspective to efforts to advance peace, security, reintegration, and reconciliation (United Nations, 2017, p. 6).

In another example, the post-genocide reconstruction in Rwanda included significant efforts to address the rights of minority groups, particularly the Twa (indigenous Central African forager tribes), who had been marginalized for centuries. The Twa, a marginalized indigenous group in Rwanda, continue to face significant challenges despite efforts to improve their social inclusion. Support from international donors and NGOs contributed to progress in areas like education and economic development. Still, deep-seated discrimination and lack of legal protections remain barriers to their full integration into Rwandan society (Minority Rights Group International, 2020).

These cases provide important lessons for Yemen. Rights-based advocacy has been crucial in advancing marginalized groups' claims. However, the effectiveness of such campaigns often hinges on how well their goals align with global political or donor priorities. The international human rights system tends to privilege issues that resonate with dominant global narratives, such as gender equality or humanitarian relief, while sidelining causes that lack geopolitical appeal (Merry, 2006, p. 92-93).

In Yemen, this has translated into greater international attention to women's rights and humanitarian aid, whereas groups like the Al-Muhamashin or Baha'i communities, whose legal and political inclusion requires deeper structural reform, often struggle to attract sustained advocacy or funding. Marginalized groups whose claims do not align with dominant global advocacy agendas frequently achieve limited legal recognition (Grugel and Piper, 2009, p. 80).

This pattern is evident in Yemen, where, despite formal recognition in the National Dialogue Conference, the long-term inclusion of marginalized communities has yet to materialize in law or policy. Without addressing the grievances of minority groups and ensuring their full participation in the political and social life of the country, Yemen risks perpetuating cycles of violence and exclusion.

The UNDP's Human Development Report outlines how post-conflict states can adopt inclusive governance frameworks to empower marginalized populations and foster national unity. A notable example is Afghanistan in the early 2000s, where governance reforms emphasized political inclusion through elected village councils and national-level quotas for women and ethnic minorities. The National Solidarity Programme (NSP) exemplified grassroots empowerment by enabling communities to manage their own development resources and participate in consultative democracy.

This model illustrates how inclusive mechanisms, even in fragile contexts, can promote both representation and social cohesion (UNDP, 2004, p. 136 –137). Yemen could benefit from a similar framework by establishing representative bodies, such as district councils, that give a formal voice to historically excluded groups like the Muhamasheen, thus aligning governance with both human rights and development priorities.

International Law and the International Community

The situation in Yemen must also be understood within the broader context of international human rights law. Yemen is a party to several international treaties that oblige it to protect the rights of all its citizens, including minorities.

These include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Elimination of All Forms of Racial Discrimination (CERD).

As a signatory to the ICCPR ⁴, particularly Article 27, Yemen must ensure that minority groups enjoy their culture, practice their religion, and use their language freely.

General Comment No. 23 by the United Nations Human Rights Committee (UNHRC) clarifies that these rights must be protected by positive state action and extended to all individuals within Yemen's jurisdiction, regardless of their citizenship or residency status (UNHRC, 1994, p. 2).

Additionally, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities, particularly Article 1, emphasizes the state's responsibility to protect minority identities, ensure their full participation in public life, and safeguard their cultural and religious practices without discrimination (UNGA, 1992, p.5). Yemen's failure to adhere to these international obligations has led to widespread human rights violations.

4 United Nations, 'International Covenant on Civil and Political Rights' (OHCHR16 December 1966) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>>; accessed 22 September 2024.

Under these treaties, Yemen must ensure that all individuals within its jurisdiction enjoy their civil, political, economic, social, and cultural rights without discrimination. This includes the right to freedom of religion, the right to equality before the law, and the right to participate in public affairs. Failure to protect minority rights, therefore, constitutes a breach of Yemen's international legal obligations.

International human rights law also provides mechanisms for individuals and groups to seek redress for rights violations. For instance, the UN Human Rights Committee monitors the implementation of the ICCPR and can consider complaints from individuals alleging rights violations. Similarly, the Committee on the Elimination of Racial Discrimination oversees the implementation of CERD and can take action against states that fail to comply with their obligations.

As outlined in the UNDP Strategic Plan 2022–2025, building “effective, inclusive and accountable governance is a long-term process deeply rooted in social and political systems,” requiring a holistic approach that spans “rights, accountability, rule of law, voice and participation” (UNDP, 2021, p. 9). These principles are especially relevant in fragile contexts like Yemen, where the absence of transparent, participatory governance has undermined efforts to protect minority rights and build a durable peace.

Given the scale of the violations in Yemen, there is a strong case for the international community to pursue accountability through carefully calibrated mechanisms. One such approach is the application of targeted sanctions against individuals and entities directly implicated in gross human rights abuses. Unlike blanket sanctions, targeted measures—such as visa bans and asset freezes—are designed to avoid widespread humanitarian harm while placing pressure on those responsible.

However, even targeted sanctions can yield unintended consequences if poorly designed or politicized. Their effectiveness depends significantly on the credibility of enforcement mechanisms, access to accurate intelligence, and the clarity of their legal basis (Portela, 2014, p. 12).

When misapplied, they risk entrenching authoritarian actors or being used by regimes to justify further repression. Therefore, while sanctions remain a viable tool for promoting accountability, they should be deployed with precision, transparency, and in coordination with broader diplomatic and legal initiatives to avoid replicating the humanitarian costs seen in Iraq.

The international community's role in supporting minority rights in Yemen cannot be overstated. Diplomatic efforts, humanitarian aid, and development assistance are all critical components of a comprehensive strategy to protect and promote the rights of minorities. The international community ensures that minority rights are prioritized in peace negotiations, reconstruction efforts, and ongoing diplomatic engagements with the Yemeni actors.

Have international organizations or humanitarian aid programs been helpful to your community?

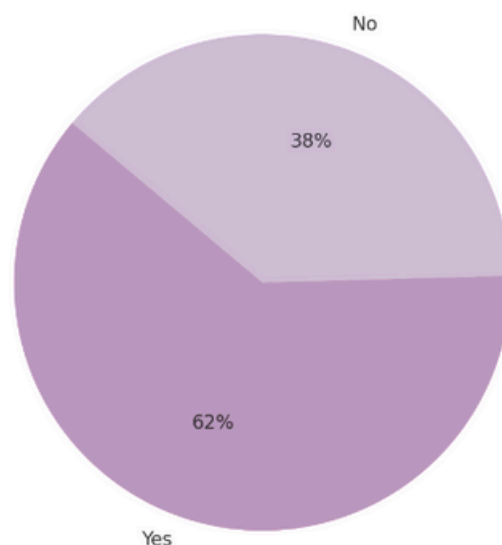



Figure 5: 62% "Yes," 38% "No" – mixed views on international and humanitarian aid - Source: Author's Survey, 2024



One key role the international community can play is providing technical and financial support for implementing legal and policy reforms. This includes funding training programs for government officials, judges, and law enforcement personnel on minority rights and anti-discrimination laws. Additionally, international donors can support civil society organizations and NGOs that work on minority rights issues, providing them with the resources they need to advocate effectively and hold the government accountable.

The international community can also use diplomatic ties to encourage the Yemeni actors to comply with its international human rights obligations. This may involve leveraging bilateral and multilateral relationships to push for the implementation of reforms and using international forums such as the United Nations and the Office of the Special Envoy of the Secretary-General for Yemen (OSESGY) to highlight the issue of minority rights in Yemen.

Furthermore, international actors can support efforts to document human rights abuses against minorities and ensure that those responsible are held accountable through international justice mechanisms such as the International Criminal Court.

Conclusion and Recommendations

Protecting minority rights is a matter of justice and a fundamental pillar for building a peaceful, inclusive, and stable Yemen. This policy paper's findings underscore the urgent need for comprehensive legal reforms, enhanced political representation, and improved access to essential services for minority groups. The international community must play a key role in supporting these efforts, ensuring that Yemen's reconstruction process includes all its citizens, particularly the most vulnerable.

Addressing the challenges faced by minorities in Yemen requires a multifaceted approach that combines legal, political, social, and economic interventions. By implementing the recommendations outlined in this paper, Yemen can take significant steps towards creating a more just and equitable society where all citizens, regardless of their background, can live in dignity and participate fully in the nation's life.

The road ahead is fraught with challenges, but the resilience and determination of Yemen's minority communities and the international community's support offer a path forward.

Minority rights must remain at the forefront of Yemen's peace and reconstruction efforts, ensuring that the country's future is one of inclusivity, respect, and equality for all.

Below is a list of practical thematic recommendations to improve the situation of minorities in Yemen.

Prioritized Policy Recommendations for Advancing Minority Rights in Yemen

1. Urgent (During Conflict): Building Inclusion Amid Fragility

Localized Political Participation (Inspired by Afghanistan's National Solidarity Programme)

◆◆ Establish district-level consultative councils with guaranteed seats for marginalized groups such as the Al-Muhamashin and religious representatives. These structures, which worked in Afghanistan post-2001, can be formed even during conflict to strengthen grassroots participation (UNDP, 2004, p. 136–137).

◆◆ Challenge: National-level political reform is unrealistic in the current context, but local governance efforts — especially those tied to aid delivery — are feasible with donor coordination.

Minority-Inclusive Humanitarian Aid

◆◆ Require humanitarian actors to integrate minority representatives into aid distribution planning, particularly in IDP camps and informal settlements, as exclusion has been well documented (Al-Warraq, 2019).

◆◆ Challenge: Risk of political pushback from dominant groups; mitigation includes using independent community mapping and working through trusted local NGOs.

Targeted Public Awareness Campaigns

◆◆ Launch media and education campaigns to combat discrimination, involving tribal/religious leaders and local influencers. This follows the example of Rwanda, where reconciliation efforts used public education and cultural programming to reshape norms (Minority Rights Group International, 2020).

◆ Challenge: Media environments are politicized; campaigns should be localized and focus on community dialogue rather than national broadcast.

2. Medium-Term (Transition or Partial Peace)

Legal Awareness and Access to Justice

◆ Create mobile legal aid clinics and community-based legal education programs targeting minorities, modeled on Colombia's community justice centers during the peace process (UN, 2017, p. 6).

◆ Challenge: Capacity is low in rural areas; mobile units and NGO partnerships can overcome this.

Accountability for Atrocities

◆ Support international mechanisms like the UN Human Rights Council and ICC referrals, as in the Yazidi case in Iraq, to document and pursue justice for crimes against minorities (UNHRC, 2016).

◆ Challenge: Politically sensitive; support must be grounded in impartial fact-finding and survivor-led advocacy.

3. Post-Conflict (Long-Term Structural Reforms)

Legal Reform for Minority Protection

◆ Reform laws to remove discriminatory provisions (e.g., apostasy penalties), and align national frameworks with international standards such as the ICCPR and the UN Declaration on Minorities (OHCHR, 1992).

◆ Introduce constitutional quotas or reserved seats for marginalized groups, as implemented in post-Taliban Afghanistan and Colombia's peace accords.

◆ Challenge: Constitutional change is only feasible after peace agreements and requires sustained advocacy and elite buy-in.

Equal Access to Services (Education, Health, Housing)

◆ Develop affirmative action programs, such as scholarship and vocational training schemes for minority youth, drawing from Rwanda's post-genocide reconstruction efforts.

◆ Implement inclusive urban planning and minority-sensitive healthcare access, with the help of international funding.

◆ Challenge: Requires strong coordination between transitional authorities and donors; should be integrated into reconstruction plans early.

These proposed actions are a blueprint for building a Yemen that honors diversity, dignity, and justice for all. While legal reform and structural transformation remain longer-term goals, local inclusion, humanitarian equity, and public discourse change can begin immediately, even during conflict. Case studies from Afghanistan, Iraq, Rwanda, and Colombia show that change is possible in fragile contexts, provided it is locally owned, internationally supported, and realistically paced.

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