



General Assembly

Distr.: General
15 February 2019

English only

Human Rights Council

Fortieth session

25 February–22 March 2019

Agenda item 10

Technical assistance and capacity-building

Written statement* submitted by the Organisation internationale pour les pays les moins avancés (OIPMA), 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.

[8 February 2019]

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

GE.19-02427(E)



Please recycle The recycling symbol, consisting of three chasing arrows forming a triangle.



Intolerance: A major Challenge faced by the Baha’I Community

The beginnings of harassment of the Baha’is date back to 2008, following the practices started in the Islamic Republic of Iran, where over the years, several legislations have been issued in order to denounce and trample the Baha’i religion.

In Yemen, the Baha’is are being systematically persecuted by the Houthis more than ever before. Nearly 2,000 people from the Baha’is community in Yemen have been victims of arbitrary detentions, abuses and imprisonments. Moreover, the practice of psychological abuse in detention centres includes degrading treatment and severe physical torture, including beatings, shackling, painful suspension, electric shock and broken bones. In many cases, Baha’is have been forced to sign false confessions through physical or psychological pressure, sometimes even injecting with unknown material to sign.

The Baha’is are one of the silent victims of the brutal war in Yemen, where they are forced to practice their faith in total secrecy. Over the past three years, the Houthis have arrested many Baha’is, being forcibly disappeared, detained, in many cases without charge, and others have been tried in the Sana’a-based penal courts, including the death penalty. This practice makes Baha’is living in constant fear, including the fear for their children’s detention, and/or threatening them to murder their parents.

Likewise, Baha’is are victims of hatred and inflammatory speech, accusing them to be the Satanic movement and a war against Islam.

Campaigns to arrest Baha’is with the aim of displacing them from their homes, cities and villages, have caused severe physical and psychological damage.

On August 10, 2016, dozens of Baha’i Yemeni chose the Yemen Good Foundation in Sana’a to establish their own forum. During this activity, a force from the Huthi National Security Service raided the place. The Huthi militias arrested women, girls, children and men. Of those arrested, 67 were charged with "spreading the Bahá’í Faith and inciting Muslims to convert from Islam and embrace the Bahá’í Faith."

This incident was only one of a series of ongoing violations against this very small minority, which constitutes only 1% of the population.

On May 22, 2017, the United Nations expert on freedom of religion urged Yemen to put an end to the persecution of Baha’is. "Many Baha’i families living in Sana’a have fled their homes and live in constant fear". The same month, the Bahá’í International Community, issued a statement saying that the persecution of Baha’is in Yemen reflects the Iranian role in the persecution of religions.

Moreover, on May 30, 2017, the Special Envoy of the Secretary-General of the United Nations expressed his deep concern about harassment, beatings, forced confinement, random trials, arbitrary detention and raids of Baha’is.

On June 14, 2017, the Canadian Parliament sent to the Houthis a message that stopped the persecution of Baha’is: Do not be agents of Iran in suppressing the people of your country.

Nonetheless, earlier last year, the Houthi leader Abdulmalik al-Houthi staged a provocative televised speech attacking, mutilating and blaspheming the Baha’i faith, further exacerbating the ongoing persecution against Baha’is in Yemen. Where he accused Abdel-Malik al-Houthi of the Baha’i as a "satanic devotee" and that "waging a war of thought against Islam". He urged the Yemenis to defend their homeland against the Baha’is and followers of other religious minorities on the pretext that "they are no less dangerous than those who kill people with their bombs".

On 15 September 2018, criminal proceedings were initiated against the 24 individuals among whom at least 22 were Baha’i, including eight women and a minor at Sana’a Specialized Criminal Court. The defendants were not investigated nor were they informed by the prosecution of the pending charges against them prior at the start of the trials. The charges include apostasy, the teaching of the Bahá’í faith, and espionage, the latter punishable with the death penalty if convicted.

On 29 September 2018, five of the indicted individuals, who remained in detention, appeared before the court. The judge ordered that the names of the remaining 19 indicted individuals be published in a local newspaper.

In 2018, the UN Group of Eminent Experts on Yemen concluded the Houthis had “committed acts that may amount to war crimes, including cruel treatment and torture and outrages upon personal dignity.” The experts documented the Houthis detaining students, human rights defenders, journalists, perceived political opponents and members of the Baha’i community.

Most Baha’i live in Sanaa, Yemen’s capital, which is under the control of the Houthis who systematically persecute the Baha’i community.

In recent days, the Houthis have taken several disconcerting steps, further endangering the Baha’is in Yemen.

In this regard, the “Organisation Internationale pour les Pays les Moins Avancés” (OIPMA) / The International Organization for Least Developed Countries (IOLDCs) reiterates the words of *the Special Rapporteur on freedom of religion or belief*, calling for an end to discriminatory practices based on religion or belief and to the de facto authorities in Sana’a to put an immediate stop to the persistent persecution of Bahá’ís in Yemen, releasing those arrested due to their religion or belief.

In November 2018, Assistant Secretary-General for Human Rights, Andrew Gilmour, stressed that accountability for international crimes was an essential step forward, who also reiterated the need to restore law and order in the entire country. He said that the current breakdown of rule of law has had a terrible impact on people’s rights to life, security, freedom from arbitrary arrest and torture, freedom of expression (especially of journalists) and freedom of religion (especially among the Baha’i community), as well as essential social and economic rights, including to food, education and health.

Yemen has ratified the Convention on the Prevention and Punishment of Genocide. In its Article 2, it clearly states that genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: Killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group and forcibly transferring children of the group to another group.

From the definition above, OIPMA condemns the atrocities committed against the Baha’i community as a genocide which should be prosecuted without further delay.

The nature of a State’s obligation to promote and protect the right to freedom of religion or belief must be understood within a wider human rights-based approach that stresses the principles of universality, equality and freedom, and which satisfy the duties to respect, protect and promote all human rights for everyone.

OIPMA acknowledges the report A/HRC/40/30 presented by the United Nations High-Commissioner for Human Rights to the 40th session of the Human Rights Council, which states that in recent years, a number of joint communications had been issued to States by the special procedure mandate holders, together with the Special Rapporteur on freedom of religion, concerning direct discriminatory practices and heavy-handed State restrictions imposed on persons belonging to religious or belief minorities who were alleged to be threats to the public order.