



PRISONS IN YEMEN

Fiona Mangan with Erica Gaston



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ABOUT THE REPORT

This report examines the prison system in Yemen from a systems perspective. Part of a three-year United States Institute of Peace (USIP) rule of law project on the post-Arab Spring transition period in Yemen, the study was supported by the International Narcotics and Law Enforcement Bureau of the U.S. State Department. With permission from the Yemeni Ministry of Interior and the Yemeni Prison Authority, the research team—authors Fiona Mangan and Erica Gaston for USIP, Aiman al-Eryani and Taha Yaseen of the Yemen Polling Center, and consultant Lamis Alhamedy—visited thirty-seven detention facilities in six governorates to assess organizational function, infrastructure, prisoner well-being, and security.

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Cover photo: Covered Yard Area, Hodeida Central. Photo by Fiona Mangan.

The views expressed in this report are those of the authors alone. They do not necessarily reflect the views of the United States Institute of Peace.

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[In its political transition and reform, Yemen faces complex and challenging security threats....Addressing the weaknesses and deficiencies in the prison system will be key to promoting rule of law and improving security.]

Summary

- Since the 2011 crisis sparked by the Arab Spring, Yemen has been in a critical political transition. Improving government institutions and rule of law are key goals. Reforming the prison system must be at the core of any strategy for improving rule of law institutions.
- Security is universally weak across central prisons. Facilities lack both the physical infrastructure and technical expertise to counter the serious security and terrorist threats they face. Prison breaks are frequent, resulting in serious consequences for broader rule of law and citizen security.
- Most facilities have no proper classification and segregation systems in place, and thus detainees held for lesser crimes often mix with serious offenders, and pre-trial detainees with sentenced prisoners. This practice not only violates detainee rights but also enables criminalization, radicalization, and recruitment throughout the detention system.
- Overcrowding and substandard prisoner care both result in physical and psychological damage and contribute to frequent rioting and security incidents.
- Most guards have no training before taking on their positions. This lack has a negative effect on treatment of detainees, security, and prison guards themselves. Prison guards showed signs of psychological strain, fear, and stress, in part due to managing roles they have not been adequately prepared for.
- Within the scope of challenges facing Yemen is a risk that reform of detention and prison facilities might not be prioritized. However, given the centrality of a safe and strong detention system for law enforcement and antiterrorism, a failure to do so would be a mistake.
- A number of simple, often not costly, reforms—such as establishing basic training for prison leaders, reinforcing a prison order and routine, establishing secure key control and prisoner classification, and baseline security protections—would address many of the most serious rights violations and security concerns.

Introduction

Specific attention to detention systems is critical during transitional periods, not only to improve rights and governance but also to improve security and rule of law. The ability of the state to securely hold and properly manage large numbers of people in detention has significant ramifications. On the one hand, insecure prisons, or violations of rights in prisons, can lead to both short and long-term societal discontent and either spark or reignite conflict. Conversely, when a state safely cares for and respects the rights of its criminals and detainees,¹ the effect on rule of law is positive.

Perhaps nowhere are these concerns more evident than Yemen, where regular terror-related prison breaks have rocked the country. Overcrowding and substandard prisoner care lead to serious physical and psychological damage among inmates.² These conditions in turn lead to frequent rioting as well as radicalization and recruitment within detention facilities.

Since the 2011 Arab Spring crisis, Yemen has been in a critical political transition and considered significant proposals for security sector reform, including its detention system. In November 2011, after nearly eleven months of protests and rapidly escalating civil conflict, the country's main political parties signed the Gulf Cooperation Council (GCC) agreement, which established a two-year period for political transition and related UN-backed implementation mechanisms.³ Former president Ali Abdullah Saleh agreed to step down from power in exchange for immunity. Former vice president Abd Rabbuh Mansur Hadi was confirmed as interim president in a February 2012 referendum and by a government of national unity between the General People's Congress (GPC) and the opposition parties under the coalition, the Joint Meeting Parties (JMP).

In addition to halting the immediate political crisis, the GCC agreement set out a number of benchmarks for the transition period to include both taking "necessary measures to achieve peace and security and extend State control" and improving governance and rule of law.⁴ In 2012, several powerful relatives and cronies of the former president were ousted from top security, political, and even business positions as a result of a series of presidential decrees and public pressure. With significant international technical and financial support, the new transitional government engaged in planning for reform and restructuring of Yemeni institutions, notably in the security sector. These included the Ministries of Defense and Interior as a whole, and those branches of the Ministry of Interior (MOI) related to the Prison Authority.⁵

More potential reforms were anticipated following the close of the National Dialogue Conference (NDC), the flagship process in the GCC agreement.⁶ Among the more than eighteen hundred recommendations, the final NDC document called for reorganization of the Prison Authority and provision of sufficient funding for prison facilities. The document recommended recruiting more highly qualified staff and providing appropriate financial incentives for guards and staff at all facilities. It also emphasized the need for improvements in classification of inmates, greater engagement in education and rehabilitation services, and better care for female prisoners and their children.⁷

In addition, because one of the key decisions of the NDC was to adopt a federalist system, many powers currently centralized at a national ministerial level may be devolved to regional or governorate level officials. At the time of writing, it is not clear whether the primary authorities currently granted to the Prison Authority (to be discussed in detail later in this report) will be decentralized to governors, but such a move seems unlikely in light of current planning discussions among MOI officials.⁸

Overcrowding and substandard prisoner care lead to serious physical and psychological damage among inmates. These conditions in turn lead to frequent rioting as well as radicalization and recruitment within detention facilities.

However, although the GCC agreement and the NDC created an élan for reform, true political transition has often been frustrated by frequently problematic government actors and the weakness of the transitional government. The agreement and subsequent reforms removed Saleh and some of his most prominent supporters from power, but the deep patronage systems and political capture that have for years abetted institutional weakness and frustrated institutional reform remain. The power-sharing agreement, which has been treated as a de facto quota system by the GPC and the opposition JMP, has exacerbated intragovernmental squabbling for positions and control. Rather than leading toward reform, this squabbling has limited the ability of the government to maintain even basic competencies.

The government has, for example, been unable to cope with the heightened security pressures coming out of the 2011 crisis. Security, rule of law, and government control as a whole remain far weaker than in 2010. There is in fact no meaningful state-backed rule of law or even state control in most of the country. Criminality has increased and armed groups are more prevalent and pose a more serious threat to government authority. Already fragile and underperforming government institutions are under ever greater strain in the face of deteriorating security and prolonged political uncertainty.

The Prison Authority has been directly affected by these situational and environmental factors. The lack of government presence or rule of law across vast parts of Yemen creates an enabling environment for transnational terrorist networks and criminal actors. Terrorist and criminal groups have directly targeted law enforcement officials and detention facilities in order to free detained associates or prevent arrest.

These immediate challenges have compounded many of the long-standing structural systems and prisoner care challenges outlined in this report. As the transition progresses, it will be key to include prisons as a core aspect of security and justice reform, both as a contribution to building a more enlightened rights-based approach to detention and as a key factor in ensuring state security.

The weakness of the transitional government and the existential nature of security threats came to a dramatic climax in September 2014, when the Houthis—a political faction with a strong military arm that has frequently clashed with government forces—seized control of the capital Sana'a.⁹ In addition to seizing major strategic assets, Houthi fighters took over many basic government functions, from patrolling streets in Sana'a to reportedly guarding some of the prison facilities in Yemen. The takeover also forced a new political arrangement, called the Peace and National Partnership Agreement, that will significantly affect how the remainder of the transition period and any reform agendas advance. Although the Houthi takeover and the new political arrangement were not in place when this research ended, they are important to implementing the recommendations in the future.

Methodology and Approach

An extensive 2013–14 mapping of justice institutions in half of Yemen's governorates suggests that a more in-depth assessment of detention facilities and their role within larger rule of law challenges would be valuable.

With a focus on understanding detention from a systems perspective, looking at organizational and legal function, prisoner well-being, infrastructure, and security, this study centers primarily on facilities under the jurisdiction of the Yemeni Prison Authority, the central prisons

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in particular. An effort was also made to visit juvenile care centers and detention facilities at police stations, courts, and other MOI facilities to better understand a broader spectrum of detention issues and the interplay between detaining authorities in Yemen. It was not possible, however, for the team to cover detention by the national security agencies and detention by tribes in facilities beyond state control. Yemen's primary internal security and intelligence agencies—the Political Security Organization (PSO) and National Security Bureau (NSB)—report directly to the president and operate their own detention centers, often holding high-profile, high-risk detainees for long periods without bringing any formal charges against them. Concerns have been raised both by local and international human rights organizations and the international community about reports of prisoner abuse, torture, and extrajudicial detention at PSO and NSB facilities.¹⁰ Also of great concern, nonstate private prisons are operated by Yemeni tribal leaders, often based within the compound or home of a tribal leader or sheikh and used during conflicts with other tribes or as a means of controlling or punishing their own tribesmen. Reports of abuses at these centers are widespread, but tackling the issue has proved problematic because many such tribal leaders are represented in parliament.¹¹

From mid-February to the end of April 2014, a team of mixed international and Yemeni researchers visited detention facilities in six governorates: Sana'a, Taiz, Aden, Hodeida, Ibb, and Hadramawt. These facilities included central prison facilities and a range of temporary detention locations, thirty-seven facilities in total (see table 1).

Table 1. Facilities Visited

Aden	Ibb	Sana'a
Aden Central Prison	Ibb Central Prison	Sana'a Central Prison
Basateen Police Station	Ibb CID	Juvenile Care Center for Boys
Aden CID ^a	Remand Prison	Al-Habrah Remand Prison
Aden Juvenile Care Center	Juvenile Care Center	Al-Mu'allim Remand Prison
Kormakser Police Station	Western Area Police Station	Al-Thawrah Remand Prison
Quloo'a Police Station		Alaya Remand Prison
Soloban Police Station		West Sana'a Court HC ^b
Tawahi Police Station		Socotra
Aden Court of Appeals HC	Hadramawt	Socotra Police Station
Hodeida	Mukalla Central Prison ^a	
Hodeida Central Prison	Fwah Police Station	Taiz
7th July Police Station	Mukalla Police HQ	Taiz Central Prison
Ad Dari Police Station	Traffic Police	Taiz CID
Hodeida Remand Prison	Hadramawt CID	Taiz Police HQ
North and South Circuit Court and PGO	Sayun Central Prison	Judicial Complex HC ^b
	Sayun Police HQ	Sabr al-Mwadem Court HC ^b
	Tareem District Police Station	

^a access limited

^b access denied

CID = Criminal Investigation Department; HC = holding cells; HQ = headquarters

Map 1. Prison Facilities in Yemen



CENTRAL PRISONS

Aden Governorate: Aden Central Prison*	Abyan Governorate: Abyan Central Prison	Dhammar Governorate: Dhammar Central Prison	Ibb Governorate: Ibb Central Prison*	Sana'a Governorate: Sana'a Central Prison
Al-Mahwit Governorate: Al-Mahwit Central Prison	Al-Mahara Governorate: Al-Mahara Central Prison	Hajjah Governorate: Hajjah Central Prison	Marib Governorate: Marib Central Prison	Shabwa Governorate: Shabwa Central Prison
Ad-Dhali Governorate: Ad-Dhali Central Prison	Amran Governorate: Amran Central Prison^	Hodeida Governorate: Hodeida Central Prison*	Lahj Governorate: Lahj Central Prison	Sa'ada Governorate: Sa'ada Central Prison
Al-Jawf Governorate: Al-Jawf Central Prison*^	Al-Bayda Governorate: Al-Bayda Central Prison Rada Central Prison	Hadramawt Governorate: Al-Mukalla Central Prison* Sayun Central Prison*	Raymah Governorate: Raymah Central Prison*^	Taiz Governorate: Taiz Central Prison*

REMAND PRISONS

Aden Governorate: Aden Remand Prison
Hodeida Governorate: Hodeida Remand Prison*
Ibb Governorate: Ibb Remand Prison*
Sana'a Governorate: Al-Habrah Remand Prison* Al-Mu'allim Remand Prison* Al-Thawrah Remand Prison* Alaya Remand Prison*

* Visited by USIP Staff ^ Currently closed *^ Not a full Central Prison (only one room prison in Security Directorate)

* Visited by USIP Staff

At each facility visited, the team carried out an initial interview with the prison director or officer-in-charge and then performed a walk around, observing as many areas of the prison as possible. Information intake sheets were used to collect data at each location and to record observations. Because opportunities to speak with inmates confidentially were limited, discussion with them was limited to questions geared toward ensuring that inmates understood why they were being held, their next court date, their sentence, release date, and so on:

- How long have you been at this detention center?
- Do you understand the charge against you/your sentence?
- Have you been to court?
- When is your next court date?
- Do you know when you will finish your sentence/be released?
- What is your age?
- What is your nationality?

In general, research teams were granted good access to detention facilities, but overcrowding and security concerns necessitated the withdrawal of the teams from many of the facilities before they were able to fully observe all areas. All facilities were observed with permission from the Yemeni Ministry of Interior and the Yemeni Prison Authority. Authorities were generally cooperative and supportive of the research, and most observations were made in the company of those in charge of the facilities. However, full access was prevented at facilities in Hadramawt, at nearly all court facility holding cells, and at the Central Investigations Department Holding Cells in Aden.

The Prison System

Legal and Regulatory Framework

In Yemen, the Prison Authority Organization Act, Republican decree no. 48 (1981), and Prison Act regulations provide the legal framework for management of the prison system. Despite its origin in Saleh's often closed and oppressive regime, the prison law contains many positives. At its core is a progressive nonpunitive approach to imprisonment and a central aim of reform and rehabilitation. The first paragraph of the act identifies this intent and goal clearly:

The Prison authorities shall take into account the importance of the psychological factor in reforming and rehabilitating the prisoners. They shall continuously endeavor to develop and improve the service they provide to prisoners because they are in need of human treatment and a caring environment. Furthermore, the prisoners shall be free from hunger, diseases and abuses. They shall maintain their family links, preserve their dignity and observe their human rights.¹²

The law and regulations provide a strong basis for management of Yemen's prisons, spelling out detailed provisions on inmate admissions, training and labor, health care, classification, discipline, internal management and regulation, and appropriate restraint of inmates. They include a few weaknesses, however. The law lacks a robust section detailing prisoner rights—core protections that merit detailed description and inclusion as a binding part of prison law. Additionally, provisions requiring segregation of foreign and homosexual inmates legitimize discriminatory practices.¹³ Regulations lack uniform coverage of practical aspects of prison management, very detailed in certain areas but entirely absent on others. They dedicate, for example, an entire chapter to duties of social and psychological workers, setting out four categories of work, but fail to establish any guidance on the role of prison guards.

At least one copy of the law was available for use by the prison director and senior staff at almost all facilities. Constructively, pocket-sized laminated handbooks setting out prisoner rights and staff duties were recently designed by the Prison Authority for distribution to each detainee and staff member. Although handbooks were shown to the research team at most facilities, they were not observed in cells or among inmates' possessions. This is a very positive initiative, and handbooks ought to be broadly distributed and used in interaction with detainees

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and enforcement.***

and staff for maximum effect. In addition, consideration should be given to other means of communicating rights and duties given low literacy rates in Yemen.

The prison law's fundamental weakness is lack of implementation and enforcement—a fact not lost on the Prison Authority, prison directors, or guards. Prison leadership and staff expressed frustration with the resource-strained prison system, which undermines organizational ability to implement what is at its core a good law and constrains uniform application of its provisions in day-to-day facility management. Although the law is infused with notions of reform and rehabilitation through meaningful labor and vocational training, budgets have reduced prisoner activity to accessing small prison yards for a few hours each day, and only basic educational classes at only a few facilities. The law provides for classification of prisoners and specialist guards and staff to ensure appropriate security and accommodation for different groups of prisoners. However, infrastructure deficiencies and overcrowding inhibit the ability to implement proper classification and segregation, and inadequate staff numbers and training impede the ability to meet basic, much less specialized, needs.

Despite practical challenges, a first step toward encouraging application of the law would be to deepen awareness and understanding of its substance. This process has already begun with the creation of the laminated booklets on prisoner's rights and staff duties, which should be distributed to all inmates and staff and knowledge enhanced through regular training.

Deeper reform of the legal and regulatory framework will require a multistakeholder review of the prison law and regulations. The Prison Authority Organization Act is an excellent basis for discussion of reform and has potential for improved implementation. Review should include understanding resource and management requirements for compliance, developing realistic expectations for prison directors now, setting progressive goals for improvement, and identifying ways to support efforts to apply the law into the future. Reform should also include expansion of the Prison Act regulations to comprehensively cover all core aspects of prison management.

Organizational Structure

The Prison Authority is an executive agency under the purview of the MOI. Debate is ongoing in Yemen over whether to reorder ministry oversight to place the Prison Authority under the Ministry of Justice. An international trend is to shift prisons under Ministry of Justice control to ensure fairness of the civilian criminal justice process by creating an institutional barrier between policing and internal security, and trial processes and detainee care. No decision as yet has been taken in Yemen.

Prison Authority Headquarters

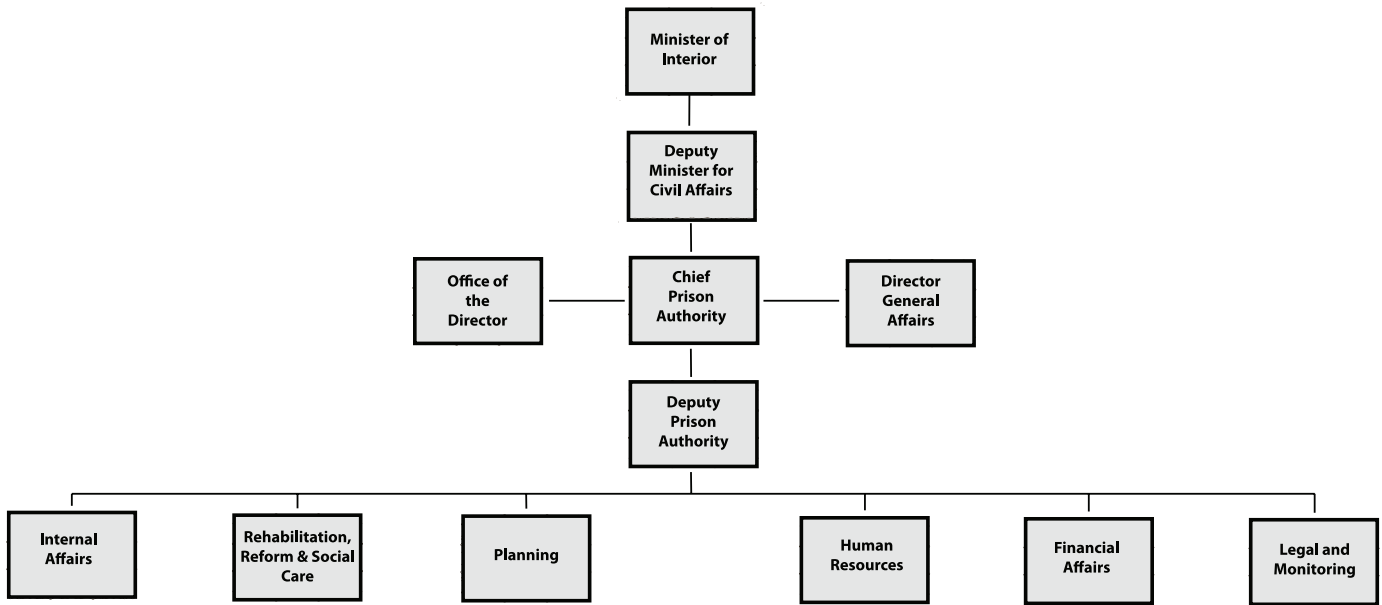
The Prison Authority headquarters are located in Sana'a directly adjacent to Sana'a Central Prison and structured much like many other parts of the MOI. With the exception of the first two categories, which are unique to the Prison Authority, departments are consistent with other ministry departments:

- Internal Affairs—registration, intake policies, security/protection, prisoner complaints, staff misconduct, and so on
- Rehabilitation and Social Care—training, education, workshops, job skills, juvenile detention, prison health, and prison social workers
- Planning—job descriptions, general and administrative planning, data-driven planning, and infrastructure and renovation of facilities

- Human Resources
- Financial Affairs
- Legal and Monitoring—legal cases, drafting of regulations and procedures, prison monitoring, and so on

In addition to the main thematic departments, the office of the director—a chief-of-staff style position—and a director for general affairs—covering responsibilities such as departmental spokesman—also sit within the Prison Authority organizational frame. Finally, four prisons—Sana’a Central, Taiz, Aden, and Hodeida—are so large that each one is additionally considered a department within the Prison Authority.

Figure 1. Yemeni Prison System Organogram



The Department of Public Prosecutions also plays an important oversight and coordination role regarding detention. A deputy prosecutor-general is assigned to each central prison to

- ensure that all individuals held in custody are lawfully detained,
- follow up on prisoner release orders,
- monitor conditions,
- receive prisoner complaints, and
- investigate any potential infractions.

Their role includes addressing coordination issues arising in transport of detainees to and from court for hearings. In addition to assigned representatives at each central prison and some criminal investigation departments (CIDs), the Department of Public Prosecutions is also tasked with performing rotational visits to all other places of detention, including police and CID facilities.

Levels of Detention and Prisoner Classification

Article 55 of the Prison Act regulations sets out three levels of detention and the categories of prisoner falling under the care of each.

Central prisons

- homosexuals with prior convictions or different prisoner classifications
- sentenced to incarceration for more than three years
- held in preventive/precautionary detention and immigrants
- transferred from branch prisons for bad behavior
- others, outside these categories, as designated by the Minister of Interior

Branch (remand) prisons

- sentenced to more than one but fewer than three years in prison
- prior convictions
- transferred from the central prison as part of staged release
- transferred from local prisons for bad behavior
- held in pre-trial detention for petty crimes

Local prisons

- sentenced to less than one year in prison
- transferred from central or branch prisons as part of staged release
- held in pre-trial detention for petty crimes
- imprisoned for civil debts

In reality, these distinctions are artificial and the three-tiered, strictly segregated prison system envisioned in the regulations has not been implemented. Local prisons were never constructed, though in some locations, police stations and CIDs serve a somewhat similar function. Branch prisons were constructed in some, but not all, cities. They are generally referred to and used as remand prisons—in theory holding only pre-sentence remand prisoners. Central prisons are the only category more firmly established and exist in all major cities. However, prisoner categories in their care are far more fluid than the regulations would suggest. In practice, central prisons hold a mixture of remand and sentenced prisoners and individuals serving sentences of mixed duration. Additionally classifications and segregation are not practiced within central prison facilities. Terminology used to categorize prisoners also requires modernization and clarification, for example removing reference to “homosexuals with prior convictions” as a category.

Central prisons are divided into between three and four sections: men’s, women’s, psychiatric, and juvenile. The separation of juveniles age fifteen to eighteen is a recent development and has not been implemented at all central prisons. It marks a shift in thinking and forms part of an ongoing debate on the age of majority in Yemen. Juvenile offenders age fifteen and younger are held in Juvenile Care Centers under the Ministry of Social Welfare.

Lack of separation of distinct categories of prisoners is a problem not only between different facilities but also within each facility. Prisoner classification and segregation is considered an important part of reception of new inmates and safe management of prisoners; it can also be an important dimension of prison security. Generally, classifications are assigned based on assessment of security risk, personal history, criminal record, mental health, sex, age, and so on.¹⁴ In Yemen, the Prison Act sets out classification of prisoners to isolate

Generally, classifications are assigned based on assessment of security risk, personal history, criminal record, mental health, sex, age, and so on.

- new offenders from repeat offenders,
- prisoners serving sentences for severe social crimes,
- foreign prisoners from Yemeni prisoners,
- minors from adult prisoners, and
- female prisoners from male prisoners.¹⁵

Although many prisons have attempted to classify and segregate prisoners by cell, infrastructure design, prison management and overcrowding limit capacity for true implementation of the law because prisoners mix freely during the day within cell blocks and yard areas. For example, at Hodeida Central, juveniles have been segregated into one cell within the main block for sleeping; however it is adjacent to the cell holding adult offenders convicted of *moral crimes*—a term used to denote sex offences. Considering that prisoners also generally hold cell keys, segregation can hardly be considered effective. Although the stipulation to isolate foreign prisoners from Yemeni prisoners runs contrary to international standards and should be amended, it was only observed as implemented in a very limited number of facilities and differential treatment was not observed. Staff, prison directors, and prison authority leadership expressed significant concerns over the criminalization and radicalization of prisoners within the prison system, one director wryly observing that his prison had become “a school for teaching people how to become criminals.”

Criminalization and radicalization in prison are not new concerns but take on a disquieting dimension in the Yemeni context where al-Qaeda in the Arabian Peninsula (AQAP) recruitment and orchestrated prison escapes have become a major dimension of prison security and present a threat to both local and international security. Given the extent of the threat within the Yemeni system, the Yemeni government, with the support of the international community, needs to urgently confront the security threat posed by radicalization and recruitment within the prison population. Prison leadership and guards should be trained and sensitized to observe spectrums of radicalization activity in prisons, reporting signs of group formation, incidents of nonviolent or violent resistance, escape attempts, internal attacks on guards or prisoners, and signs of communication with criminal, radical, or extremist groups on the exterior.

Prisoner classification policies should be detailed and secure containment of extremist prisoners implemented immediately. This may necessitate reassigning or segregating prison yard space or temporarily implementing regulated shifts for outdoor and recreation spaces in order to gain greater control over prison populations and reduce criminalization, radicalization, and victimization occurring in mixed recreation spaces. Programming aimed at countering radicalization must be more widespread throughout the system.¹⁶

Staffing Roles

The structure, role, and qualifications for Prison Authority staff are not well elaborated within the prison law and regulations. The regulations provide details on the duties of prison directors and social and psychological workers but fail to set out a departmental staff structure for Prison Authority headquarters or prison guards of different ranks.

Prison Directors

The duties of the prison director are one of the few staff roles elaborated in the Prison Act regulations.¹⁷ The regulations place legal responsibility for prisoner care and staffing decisions—including elaboration of staff functions and terms of reference, establishing prison

routine, safety and security, prison budget, oversight, and reporting—in the hands of the prison director. Prison directors noted the weight of such responsibility and that they often do not feel fully supported.

Despite detailing prison director's duties, no career path, qualifications, or requirements are outlined for assuming a prison director or senior position within the Prison Authority. The de facto method has involved cross-pollination of senior MOI security staff, many of them switching between different ministry security postings, ascending to greater responsibility as security generalists rather than specialist prison wardens. Personal insecurity and the challenging nature in the post, however, have meant that prison director positions are often hard to fill. The post is regarded as undesirable, generally assumed by those who lack the personal connections to secure a better position. Senior staff noted the need for the development of regulations and procedures to govern staffing at all levels.

In spite of their breadth of decision-making power and responsibility, only a handful of prison directors displayed strong control over their institutions. Many could not provide a clear breakdown of staff, and few seemed to understand that elaboration of staff roles was within their power. At a number of facilities, prison directors and senior officers were both unfamiliar with the facilities and related issues and unaware of detainee concerns and conditions. In several of the central prisons, directors and staff were fearful to enter sections of the prison. One noted that the joint visit with USIP was the first time he had stepped foot in the main ward of the prison and repeatedly requested withdrawal out of fear.

Effective prison management requires detailed understanding of the internal dynamics of the prison, attention to prisoner and staff concerns, and regular contact with all aspects of the prison to ensure interaction with and anticipation of emerging issues.

Prison director positions are often hard to fill. The post is regarded as undesirable, generally assumed by those who lack the personal connections to secure a better position.

Prison Guards

Aside from a limited set of dos and don'ts for prison workers generally, scant guidance on the role of prison guards exists within the prison system. The prison law and regulations make little explicit reference to prison guards and provide no elaboration of their role and duties. Regulations outline that “terms of reference, work and duties [are] to be clarified” by the prison director, an important function most prison directors were not aware of.¹⁸ This lack of clarity translates into unclear, ill-defined, and at times inappropriate roles played by prison guards within the prisons.

At the outset, an important distinction must be made between prison guards falling under the Prison Authority and external security guards. Perimeter security are assigned to guard the exterior perimeter of prisons on a rotational basis by the MOI. They receive security training, carry firearms, and were broadly observed as uniformed and present. Prison guards, by comparison, are directly employed by the Prison Authority, perform their duties within the prison compound, interact directly with prisoners, and do not carry firearms. Guards do not consistently wear uniforms, making it difficult to distinguish them from ununiformed detainees (see photo 1).

It was universally reported that prison guards received either little or no training whatsoever. No specialized prison guard training course is in place. Some guards receive basic security training from the MOI, and a handful in each prison reported that they participated in ad hoc short specialized training courses.



Photo 1. Guards at Gate, Taiz Central

Guards have a poor understanding of their role, severely inhibiting their ability to control and care for detainees. In most prisons, for example, many guards had delegated to varying degrees much of their power and functions to detainees. Core functions, such as key control, were observed as mainly in the hands of nominated detainees. In some instances, staff showed inappropriate and at times excessive use of force, from shouting matches with detainees and shoving to wielding batons, sticks, belts, and lengths of chain to control populations. In other centers, guards were observed in overfamiliar relationships with detainees, such as chewing *qat* outside secure areas.

The research team nonetheless reserved sympathy for prison guards, who in general did not seem to intentionally inflict negative treatment but rather had simply been placed in high-risk, high-stress positions without clear delineation of their function, boundaries for their behavior, or the requisite skills and knowledge to appropriately handle care, security, and prisoner management. These systemic failures have a negative effect on both detainee treatment and the guards themselves. Guards showed signs of psychological strain, fear, and stress—such as anxiety and unwillingness to enter sections of prisons, lethargy, fear, or anger responses in dealing with inmates—and a number of prison directors expressed concern over mental well-being of staff.

Specialist Staff

The United Nations standard minimum rules (SMRs) for the treatment of prisoners outline that, so far as possible, “a sufficient number of specialists such as psychiatrists, psychologists, social workers, teachers and trade instructors” should be “secured on a permanent basis.”¹⁹ The Prison Act regulations adhere to the spirit of these standards, setting out lengthy and detailed duties for social and psychological workers within prisons and outlining details for labor and vocational training.²⁰ In reality, however, the regulations remain aspirational. Few permanent

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specialist staff were observed carrying out the functions outlined during prison visits. Most social and psychological prison workers are not full-time employees, and prison directors almost universally stressed the need for greater frequency and quantity of visits and specialists. Specialist educational staff employed under the Ministry of Education and medical staff under the Ministry of Health are also in theory assigned to work at prisons, but instead most visit periodically rather than take on full-time roles. Additionally, aside from general comments that numbers of specialist staff were inadequate to address needs, a full picture of hours and regularity of visits was either unclear or unavailable at most facilities.

Staff Ratios

Precise numbers of prison guards at many detention facilities were difficult to ascertain. Many facilities could not produce figures, indicating that management did not keep accurate records, but also that the distinction between prison guards and perimeter security was not clear. When numbers were provided it was hard to disaggregate staff to determine in detail the number of prison guards in direct contact with detainees, of perimeter guards, and of specialist and administrative staff at facilities (see table 2).

Table 2. Estimated Inmate-Staff Numbers at Prisons

	Inmates	Staff
Sana'a Central	2,326	550
Aden Central	723	100
Taiz Central	1,577	300
Hodeida Central	951	141
Ibb Central	1,235	130
Mukalla Central	483	191
Sayun Central	87	105
Al-Mu'allim Remand	315	43
Al-Habrah Remand	250	35
Alaya Remand	330	47
Al-Thawrah Remand	170	36
Hodeida Remand	201	51
Ibb Remand	300	20

Although the numbers provided suggest an adequate staff-to-detainee ratio, a lack of clarity over precise number of guards interacting with prisoners and high rates of guard absenteeism especially at night likely means a far lower ratio in practice (see table 3).

Table 3. Estimated Inmate-Staff Ratios at Prisons

	Total Inmates	Total Staff	Ratio
Sana'a Central	2,326	550	1:4
Aden Central	723	100	1:7
Taiz Central	1,577	30	1:53
Hodeida Central	951	141	1:7
Ibb Central	1,235	130	1:10
Mukalla Central	483	191	1:3
Sayun Central	87	105	1:1
Al-Mu'allim Remand	315	43	1:7
Al-Habrah Remand	250	35	1:7
Alaya Remand	330	47	1:7
Al-Thawrah Remand	170	36	1:5
Hodeida Remand	201	51	1:4
Ibb Remand	300	20	1:15

Inadequate staff skills and training are one of the clearest weaknesses inhibiting the proper function of the Yemeni prison system. SMRs set out three stipulations:

- The personnel shall possess an adequate standard of education and intelligence.
- Before entering on duty, the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests.
- After entering on duty and during their career, the personnel shall maintain and improve their knowledge and professional capacity by attending courses of in-service training to be organized at suitable intervals.²¹

Attention should be given to a review of staff numbers, roles, protocols, and training. Specialized prison guard training would have a transformative effect on the prison system, instilling guards with the confidence and skills to perform their challenging role and demanding higher levels of professionalism in return. It was evident that guards who had received even ad hoc short-course training were more competent and showed more pride in their work. Over time, a professional cadre of specialized prison guards could be developed. All prison guards should receive specialist prison guard training from a tailored curriculum involving both theoretical and practical components along with regular in-service refresher training, sensitivity training, and psychological evaluation and support. As a cornerstone of this practice, prison leadership roles, responsibilities, career path, and training should be reviewed. Basic and specialist training curricula should be developed in line with the Prison Act and Regulations and Staff and Prisoner Rights handbooks, bearing low literacy rates in mind in development of training programs.²²

In addition, given that a substantial number of prison facility services are the responsibility of institutional actors outside the Prison Authority but are currently being under-provided, cross-ministry discussion regarding provision, posting, and financing of specialist support should be launched. This should engage all relevant ministries including the Ministry of Interior, Ministry of Justice, Ministry of Social Welfare, Ministry of Education, and Ministry of Health.

Prison Security

Security in the Yemeni prison system is universally weak. Although a detailed technical assessment of security requirements and issues at all prisons was not possible in this research, basic security concerns were clearly observable, and prison directors expressed anxiety over the security challenges and threats they face. Facilities lack both the physical infrastructure and technical expertise to counter the serious security and terrorist threats faced in Yemen, and numerous other factors detailed in the following further compound insecure conditions.

Prison escapes are becoming the norm in Yemen. All central prisons visited have experienced one or more escapes in recent history, four in seven central prisons reporting external incursions involving coordination with inmates. All prisons reported regular threats and ongoing risk of external incursions, Aden Central noting that grenades are regularly thrown over their insecure perimeter wall. The majority of escapes are ordinary small-scale escapes—frustrated inmates taking advantage of poor security and staff incompetence. Another common form of escape for detainees is suicide. Though authorities do not record numbers, media have attempted to document cases, highlighting the poor conditions and desperation at their root.²³

The system is also experiencing a growing number of sophisticated and coordinated operations involving use of external force, evidence of staff collusion, and involvement of terrorist groups, most significantly AQAP. Prison directors near uniformly expressed vulnerability to external attack as a top concern, as well as feelings of helplessness in the face of far greater resourced terrorist and criminal groups.

All central prisons visited have experienced one or more escapes in recent history, four in seven central prisons reporting external incursions involving coordination with inmates.

Sana'a Central Coordinated Prison Break—February 2014

On February 13, 2014, AQAP carried out a major targeted prison break at Sana'a Central Prison. While MOI perimeter security guards were engaged in a firefight at the main facility entrance, a suicide car bomb penetrated the side perimeter wall adjacent to Prison Authority headquarters, injuring a number of staff inside. AQAP operatives then entered the facility, overpowering guards and releasing twenty-nine detainees, including nineteen al-Qaeda suspects. Coordination with both staff and detainees is suspected because AQAP detainees had been transferred to a lower security block adjacent to the perimeter wall targeted, allegedly in an effort to segregate them from the main prison population. Investigations are ongoing to determine whether staff were involved.



Photo 2. Guard at perimeter wall near site of attack

The 2014 Sana'a Central attack is one in a series of AQAP prison attacks or escapes. A number of significant incidents with suspected AQAP involvement and often involving the release of members are captured in table 4.

Table 4. AQAP Prison Escapes

Year	Location	Number
2014	Sana'a Central Prison	19 AQAP, 29 overall
	Mukalla Central	6
	Sayun Central	6
2013	Sana'a Central	<300 attempted
	Dhale Central	1
	Aden Central	2
	Aden CID	7
	Abyan Central	4, 3 AQAP
2012	Sana'a Central	3
	Taiz Central	4, 13 attempted
	Al-Bayda Central	365
	Hodeida Central	5
	Aden PSO Detention Center	15 AQAP
	Lawdar Central	3 AQAP
2011	Sabir Prison	20 (backed by Southern Movement separatists)
	Amran Central	10
	Mukalla Central	63 suspected AQAP
2007	Taiz Central	3
2006	Sana'a PSO Detention Center	23
2003	Aden PSO Detention Center	10

Note: Figures are derived from multiple media sources on file with the authors and therefore approximate.

Ongoing conflict in some governorates since 2011 also contributed to a spike in escapes. In 2011, open fighting and aerial bombardment led to damage of the central prison facility in Abyan, enabling all prisoners to escape. The facility has not yet been repaired, and Abyan detainees are held in nearby Aden's central prison. More recently, ongoing fighting in Amran has led to repeat partial or wholesale escapes of the prison population, a total of 470 detainees freed.²⁴

Escapes and external incursion have been less frequent at remand prisons. Although facilities were observed and assessed as vulnerable to attack, high-risk detainees are generally not held at such facilities during pre-trial phase but instead are transported either to central prisons or to PSO detention facilities, both of which have had escapes and external incursions.

The primary concern of this report is from a domestic criminal justice perspective, but greater international attention has focused on Yemen's corrections system recently because the majority of detainees in Guantanamo Bay are Yemeni. Although the vast majority of those in custody have been cleared for transfer (fifty-seven), they have not been repatriated because of security weaknesses in Yemen. The recent spate of prison breaks only seem to confirm con-

cerns about the security of Yemen's prison system, and the fragility of state law enforcement institutions casts doubts on the ability to monitor or prevent recidivism among any returned Guantanamo Bay prisoners.

Security infrastructure noted by prison directors as required but currently absent:

- reinforced perimeter walls
- high guard towers plus observation walkways
- concrete barriers on adjacent roads
- electronic doors
- security wands
- surveillance cameras
- armored trucks for transport
- stun guns for riots
- riot gear and specialized training
- jamming devices for cell phones
- sirens for emergency situations
- prisoner uniforms
- two-way radios for staff
- paved yards
- secure division of yard areas

Six of seven central prison facilities reported regular internal security problems, such as strikes, riots, prisoner self-harm, and fighting—all heightened by overcrowding.

Six of seven central prison facilities reported regular internal security problems, such as strikes, riots, prisoner self-harm, and fighting—all heightened by overcrowding. Prisoners at Hodeida Central, for example, have staged numerous hunger strikes, seeking to highlight delays in their cases, perceived injustices perpetrated by the courts, and poor conditions. Following a 2012 prison escape and riots at Taiz Central, internal security slipped so far beyond control that guards could not enter the premises. Authorities turned off water and electricity for several days before reentering, presumably to punish and sedate inmates. In Ibb, prisoners regularly strike over delays in their cases. In one incident, a number of inmates sentenced to death set a fire in protest; eight died.

At the level of basic security—and more readily corrected by prison leadership—is key control. This is primarily in the hands of designated representatives in each cell. At almost all facilities visited, staff had to call on inmates responsible for carrying the keys to cell areas to open locked cell doors and to provide the numbers of detainees per cell—a practice that appears to have become the norm in the prison system. In a number of instances, guards found themselves either locked out or locked in cell areas for lengthy periods while inmates or staff sought to locate the designated key holders within the chaotic prison population, demonstrating some of the associated security and safety risks. Furthermore, at Mukalla Central, an inmate claims to act as deputy director, greeting the research team with his cell phone in hand, issuing orders to guards, confronting and overriding decisions of the officer-in-charge.

Core security functions being carried out by inmates relinquishes control of internal cell areas to them, giving specific detainees preferred positions of power over others, and is a serious threat to security and inmate safety. Policies and corresponding disciplinary measures should be promptly reviewed and altered to ensure that total command of all keys, locking devices, recreational areas, and storage is maintained by staff only and is under the strict guidance and command of prison leadership. Safety and contingency planning should be put in place to ensure that all cell and exit keys are readily accessible to designated correctional staff and available to on-duty staff at all hours. Strict procedures and control systems should be kept, detailing responsibility for and location of all available keys and locks at all times.

Cell phones and other contraband were observed in detainees' possession in most facilities. Authorities and prison directors noted the challenge of keeping prisons contraband free; the

governor of Taiz recounted that when their 2012 prison break occurred, “For years the police had not had full access. No one had gone in [the wards]. When they went in they found weapons, booze, hashish...you name it.” At Mukalla Central, prisoners complained about the role guards play in smuggling in contraband. In an interesting role reversal, inmates reported that they search the guards as they enter the facility because they believe that the guards smuggle in drugs for sale and distribution within the prison. Sale and consumption of qat was also visible at all facilities, often involving guards and nominated detainees.

The observation team witnessed staff at a number of facilities entering prison compounds and cell areas openly carrying and with concealed firearms. Firearms should be strictly prohibited from entry within prison compounds and used for external perimeter security only. The Prison Authority should conduct a review of firearms policy and implementation in tandem with broader security reviews. Prison leadership and staff may consider firearms as protection against uncontrolled prison populations, but the risk of prisoners gaining possession of firearms is serious and has potentially dire consequences.

On a positive note, the use of instruments of restraint, such as shackles and handcuffs, were observed in minimal use only for transport of detainees and during court appearances in line with international standards.²⁵ Prisoners were not observed shackled within facilities or as any kind of punishment. A shortage of handcuffs for prisoner transfer was highlighted as an issue in a few facilities.

Improving security and safety of central prisons is one of the most immediate needs. A full security review of all prisons is imperative, further funding ideally applied to security infrastructure repair and reinforcement. Clarifying and instilling in prison staff basic security procedures and protocols—such as the need to maintain key control and to refrain from carrying firearms within prison cells—should be at the core of any new training initiatives. Such simple, basic security and order provisions should be expanded upon and clarified in the Prison Act regulations, which currently provide scant detail on the subject.

Physical Infrastructure

The design and construction of central prison facilities varies greatly—from a British colonial structure at Aden Central and 1970s builds at Sana’a and Hodeida Central. Mainly located within urban or peri-urban areas, many are now in close proximity to communities as city populations have expanded and developed around them. Although the majority of those visited, with the exception of Taiz and Hodeida Central, were built as prisons, the expanding prison populations have far outstripped the capacity of the original designs. Infrastructure limitations reduce the ability to hold detainees safely and humanely, a reality acknowledged and listed as a core concern by all prison directors as affecting prison security and prisoner well-being. Prison designs across the board presented water, sewage, wiring, electricity, and security issues in need of urgent attention and repair.

Although no set of standards for prison infrastructure has been agreed upon, the International Committee of the Red Cross (ICRC) issued guidance in 2012 on physical organization and basic infrastructure in *Water, Sanitation, Hygiene and Habitat in Prisons: Supplementary Guidance*.²⁶ Prisons should all have certain facilities:

- buildings for detainees to sleep
- sanitary installations including toilets and showers
- outdoor areas
- yards for outdoor exercise and sports grounds

- kitchens
- health care facilities
- visiting rooms to meet families and legal representatives
- offices for prison administration
- prayer rooms
- storerooms
- workshops
- classrooms
- multipurpose rooms
- library
- water and sewerage systems
- staff accommodation and services
- isolation areas

Although Yemeni central prisons do have many of the basic physical components set out in the ICRC guidelines, their material standards and functionality are poor or inadequate. For example, cells and internal cellblock corridors were generally found to lack adequate light, ventilation, space, or a combination of these. Sanitation systems were generally overloaded and in need of repair. A number of prison kitchens were unhygienic and in need of an upgrade. Medical clinics were generally insufficient for prisoners health needs.

Perhaps one of the most concerning design flaws almost universal in central prisons designs is inadequate outdoor and recreation spaces that can be securely controlled. Because of overcrowding, prison populations are generally found mixing freely in prison yards during the day, reducing the ability to segregate inmates based on classification—in part a management issue but compounded by too little yard space. This situation was particularly concerning at Hodeida Central, where the main male block has a central covered yard with no access to sunlight. At a number of facilities, open space is available within prison compounds but use is poorly allocated or no funds are designated to developing outdoor areas. Little allocation is made for physical exercise and few of the limited sports fields or courts observed are in use. Similarly, education, labor, and vocational training workshops at many facilities are either shuttered or not fully in use because of funding cuts.



Photo 2. Covered Yard Area, Hodeida Central

Remand facilities visited are housed within more recently constructed buildings that date from 2000 onward. They follow the same or similar standardized design, with no provision for recreation or prison activities, and are characterized by narrow passageways, narrow staircases, and limited egress options, all posing internal control and security problems for staff. A number of remand facilities are located on sites too small to allow adequate perimeter security or outdoor space and too close to neighboring businesses and residential spaces to ensure security for both urban populations and detainees. Remand facilities do not have adequate provision for exercise or recreation for prisoners and uniformly lack classrooms, libraries, and other work facilities. The excuse is that these are temporary detention centers, but given the fluidity of detainee categories and lengthy pre-trial and pre-sentence periods, greater attention needs to be given to the standard of care at these facilities.

Four of five remand facilities visited were undergoing expansion and renovation projects, including construction of additional floors to increase capacity, repair of existing cells, and conversion of flat roofs into recreation areas for access to fresh air and sunlight. These repairs and attention to problematic facilities are commendable, but the repairs underway do not resolve the broader core design flaws at the facilities. Increased capacity will cause greater strain on sewage systems, electricity, water, food, and medical needs and will increase security strain on staff. Conversion of roof spaces will at minimum provide greater access to fresh air and sunlight but will not adequately address the facilities' need for proper recreation and exercise space.

In the short to medium term, a review of outdoor space and potential remedies is in order. In a number of facilities, immediate steps are possible and should be initiated. For example, lack of access to sunlight for prisoners at Hodeida Central is easily avoidable given the ample internal yard space. Greater attention needs to be given to improving exercise, recreation, and other provisions for remand facilities.

In the medium to long term, many existing detention facilities should be rehabilitated or re-designed and careful contemplation given to needs, planning, and consultation on prison design standards. Prison design, when undertaken correctly, can vastly improve prisoner well-being as well as the functional needs for staff and state security. Consultation with organizations who have developed prison design standards, such as the ICRC, should be part of the process.²⁷

Prison Registry and Data Overview

Prison files and record-keeping methods were relatively uniform across the system. Prisons maintain paper files with inmate paperwork, including any orders from the prosecutor's office, courts, etc. In addition, an electronic database of prisoners, which includes photo and biometric data, is operational at most facilities and links to a central prisoner database maintained at Prison Authority headquarters. Some facilities noted that lack of power and Internet connectivity present barriers to proper upkeep of filing. Prison directors also noted that processing delays, difficulties in obtaining correct paperwork, and communication with the prosecutor general's offices and courts contribute to administrative delays.

At a few facilities, prisoners handle filing and administrative work. Although limited involvement in some administrative work is an acceptable form of the prison labor in return for remuneration, prisoner work that permits access to personal data, records, or case-related material involving other inmates should be strictly prohibited. Similarly, work on administrative areas involving deliveries, outside service providers, infrastructure, and the like can present a security risk and access to avenues for escape.

Despite theoretically positive filing and data processes, obtaining an accurate breakdown of inmate numbers in detention was difficult at each facility. Inmate numbers provided by prison leadership did not add up in numerous instances or were contradicted by subsequent observations during prison visits. Further analysis of data inaccuracies at the prison level should be considered to better understand whether they involve false reporting, incorrect or inconsistent prisoner count, fraud, or filing issues linked to courts or prosecution service.

Monitoring prisoner volumes and trends in prison in- and out-flow is a vital part of the work of headquarters-level prison management. Headquarters staff have produced some impressive statistical analyses and reviews of the prison system that should be continued, deepened, and strengthened with more accurate reporting and maintenance of data at local level and adequate time and resources provided to headquarters staff engaged in research on system management and reform. Strengthening internal data management, processing, and monitoring will greatly assist senior leadership in planning and reform of the Prison Authority, decisions on infrastructure needs, prisoner classification, and the like.

Use of Isolation Cells

Isolation cells were present at nearly all central and remand prisons facilities visited. The SMRs set out two related stipulations:

- Discipline and order shall be maintained with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.
- Punishment by close confinement or reduction of diet shall never be inflicted unless the medical officer has examined the prisoner and certified in writing that is fit to sustain it.²⁸

Isolation cells are generally considered a necessary element of prison infrastructure. The core issue is how they are used. Access to properly observe isolation cells was not granted at all locations. Of those observed, the nature of use ranged greatly, from offices or storage to brief isolation in quelling fights or misconduct and closely monitored by prison staff and the director to “black hole” style punishment. At Sana’a Central, a large number of inmates were held in two dark cells, deprived of natural light, held in extremely cramped quarters, and given no access to outdoor space or adequate sanitary facilities—conditions amounting to punishment prohibited under the SMRs and potentially reaching the level of cruel, inhuman, or degrading treatment.²⁹ Within the two isolation cells, one set of inmates were categorized as troublemakers undergoing isolation as punishment, and the second held homosexual detainees “in part for their own protection” because they were considered either vulnerable to attack or sexual predators.

Insufficient access and inconsistent use of isolation cells make broad observations about their compliance with the SMRs difficult. Medical observation of confinement is clearly not implemented. Although use was inappropriate and excessive in a small number of facilities, as highlighted, in others relatively enlightened low or no use policies were in place. Overcrowding in prisons also affects use of isolation cells, serious overcrowding in prisons mirroring overcrowding in isolation cells, thus properly isolating detainees when necessary is not always possible.

Policies and procedures for use of and presence of isolation cells at prison facilities should be reviewed and standardized in Prison Act regulations for implementation, including processes of appeal, review, medical observation, and oversight.

Communication with Inmates

Maintenance of communication lines and constructive relations between inmates and guards, inmates and prison leadership, and guards and prison leadership can promote information flows that facilitate smooth management, the ability to handle security and prisoner concerns before they reach crisis point, and advancement of positive, calm prison environments. Understanding prisoner needs will also be key to the success of any reform program the Prison Authority and Yemeni government might pursue.

In a number of prisons, the strain of overcrowded, underresourced facilities had undermined staff interest in dealing with prisoner concerns, complaints, and requests. Staff seemed unfamiliar with prisoners and their needs, and no system of communication with inmates was in place. Complaints boxes had once been operational at all facilities but no longer were.

Deputy prosecutor generals, who are assigned to each central prison, also play an important role in receiving complaints from and carrying out investigations on behalf of prisoners. Part of the role is to conduct regular inspection and walk-throughs of prisons, but the extent to which this is regularly carried out and ongoing was unclear.

Going forward, complaints procedures for prisoners should be reinstated and receive effective attention and follow-up. Prison leadership and guard training should involve ensuring that staff maintain positive relations and professional communication with prisoners. Greater observation and discussion with prosecutor generals assigned to prisons is needed to assess how they might more actively contribute to monitoring conditions and enabling positive communication patterns. Based on this preliminary assessment, these prosecutors appeared overwhelmed and underresourced.

Prisoner Well-Being

Overcrowding, serious deficiencies in bedding and accommodation, lack of hygienic bathroom and washing facilities, and availability of water were issues across the central prison system. Some of these issues are also persistent challenges for the poor in Yemen, but when the state has deprived an individual of liberty, it has a heightened duty to ensure basic health and well-being. In addition, poor conditions can contribute to poor security within prisons. For example, at Taiz Central, conditions had become so cramped in Ward A that regular fights and riots broke out over bathroom privileges available. Local authorities believed this was a factor in the 2012 prison break—one of the major reforms after which was to construct more bathroom facilities.³⁰

Overcrowding and the resulting inadequacy in bedding, bathroom facilities, food, and other basic provisions are serious issues in all central prisons, but the conditions and provisions for prisoner well-being are considerably better than in other detention facilities visited, such as police stations and MOI CID facilities.

Overcrowding and Accommodation

Prison overcrowding and access to adequate personal space is a major challenge in many prison systems, and Yemen is no different. Space requirements and type of accommodation varies widely from nation to nation and depends on resources, space, and culture. For example, although individual or double cells are the standard for many Western countries, group or dormitory style accommodation is considered more humane in many cultures because it can reduce loneliness and anxiety. The SMRs are quite clear on the quality of accommodation ideally provided:

Taiz Central, conditions had become so cramped in Ward A that regular fights and riots broke out over bathroom privileges available. Local authorities believed this was a factor in the 2012 prison break.

All accommodation provided for the use of prisoners and in particular all sleeping accommodation meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting heating and ventilation.³¹

Signs of overcrowding are generally clear regardless of cultural variations:

- irregular sleeping arrangements—including sleeping in shifts; sleeping two per bed or on the floor; sleeping in corridors, communal spaces, or bathrooms; too few mattresses for the number of inmates; visibly cramped conditions
- disorderly, packed spaces—persons and personal items crowding cell areas; items hanging from walls, roof, and bunks, blocking ventilation, light, or cell sight lines
- stale or airless environs with little or too little ventilation
- unhygienic sanitary systems—whether blocked or overflowing
- virulent illness common and difficult to eradicate
- guards incapable of controlling inmate populations
- insufficient food and water sources

Overcrowding affects safe management of prisons and often triggers poor management practices. It also places a heavy burden on the basic infrastructure and sanitation systems and has a negative impact on the physical and mental health of detainees.



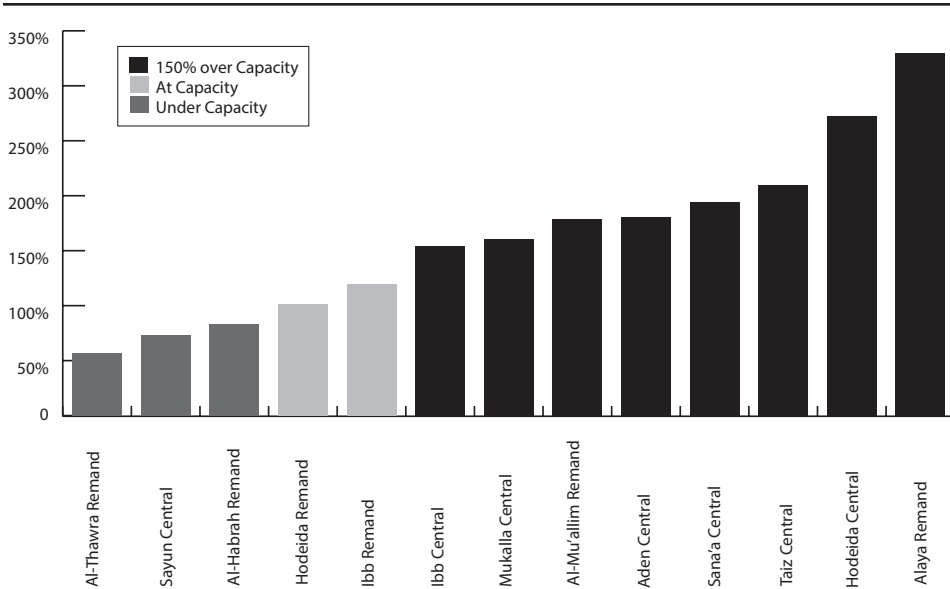
Photo 3. Obscured Sightlines in Overcrowded Room



Photo 4. Prisoners Sleeping in Corridor

Figure 2 presents a sample of overcrowding issues in the Yemeni system, as defined by reported numbers for prison capacity versus actual prison population.

Figure 2. Prison Overcrowding



In general, overcrowding is less severe in women’s sections of prisons and more so in mentally ill and juvenile sections, which were observed as at or beyond capacity.

Overcrowding, which senior leadership and almost all prison directors say seriously affects their ability to run prisons, places enormous strain on the Prison Authority as well. It is a significant contributor to the lack of appropriate classification and segregation within central prisons and between central prisons and other temporary detention facilities. Given the severe shortage of detainee facilities, assignment is primarily driven by the availability of space rather than any security risk the detainee poses, length of sentence, or due process concerns.

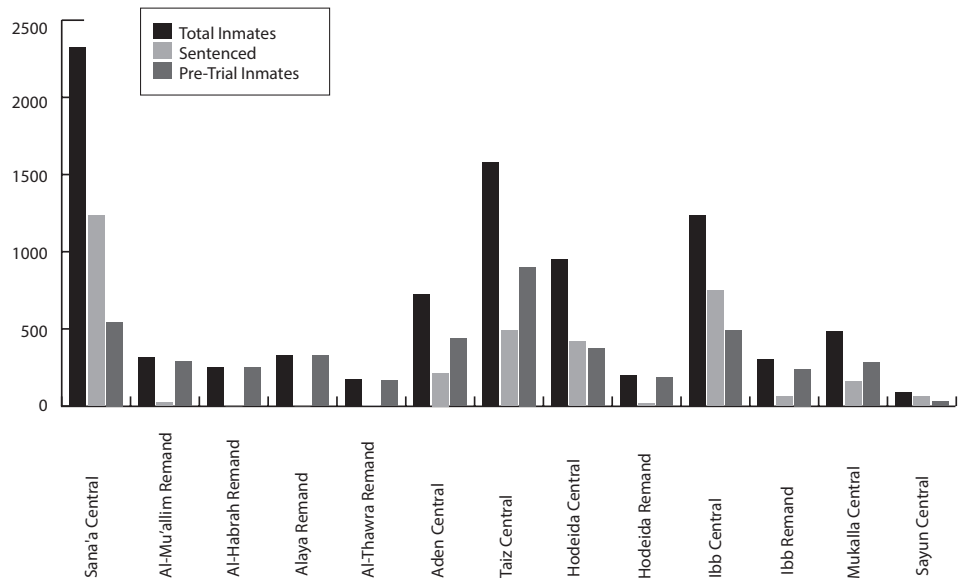
Overcrowding also has a negative ripple effect on almost all aspects of prisoner care and therefore needs urgent attention and consideration. Facilities at 150 percent overcrowded should stop receiving inmates. Some immediate relief from overcrowding would be facilitated by issuing release orders for those who have overstayed their sentence or where pre-trial limitations have been surpassed. Transferring some detainees to other less crowded facilities may be possible in some circumstances, though given the pervasiveness of overcrowding, the system has little spare capacity. In developing medium- to long-term solutions, the Prison Authority should review the root causes of overcrowding. Often it is the result of systemic features of the criminal justice system and may relate to slow progress in criminal trials and problems in immediately enabling release where authorized.

Due Process, Unsented Prisoners, and Release Issues

Overcrowding of the prison system in Yemen is closely tied to problems of due process, backlogged courts producing a glut of unsentenced prisoners and affecting prisoner release. These issues were raised repeatedly, by prisoners and staff alike, as affecting prisoner well-being in various ways.

In terms of positive practices, basic levels of due process are in place. In general, almost all detainees know the nature of the charge laid against them or their sentence, though fewer know their next court date, in part because of scheduling failures and backlogs in the system. Nonetheless, poor communication with offices of the prosecutor general and slow court processes commonly led to elongated pre-trial periods in poorly resourced remand facilities or in other non-Prison Authority facilities³² not designed for lengthy detention.³³

Figure 3. Prisoner Status



Inmates who have served their sentences but have not yet been released is widespread and recognized by all concerned as a major problem within the detention system. In Yemen, as in other systems, fines or compensation to victims are imposed as part of sentencing. However, given widespread poverty, sentenced prisoners are often unable to pay their debts—and the Yemeni system extends custodial sentences until such time as financial obligations are satisfied. In numerous prisons, some detainees had significantly overstayed their sentence for as many as five or ten years. Accumulation of such detainees exacerbates overcrowding and service provision and is a financial drain on the state. Charitable organizations, communities, and sheikhs have in some cases assisted with satisfaction of debt. Serious consideration should be given to process reform, further analysis of the problem in conjunction with the Ministry of Justice, and alternatives to incarceration for such cases, given that prolonged periods of detention also reduce earning potential and thus are scarcely a remedy to inmates' failure to pay.

A number of officials noted that failure to carry out death sentences is an additional contributor to prisoner surfeits. The Criminal Procedure Code prescribes that executions must be witnessed by the heirs or family of the victim.³⁴ Witness fear or preference for life imprisonment often thus delays execution. Clarity or reform of this process is needed.

Although in reality prisoner release delays are extremely problematic and a major contributor to overcrowding, prison regulations outline a positive detailed process and recommend that those

who have served more than five years serve an additional semicustodial stage before release, during which they are transferred to the prison closest to their home and granted periods of gradual extended leave to normalize their reintroduction into society. In tandem, social workers are tasked with follow-up care for prisoners that includes case monitoring. Prison systems are overstretched, however, and incapable of implementing these provisions. The system should strive to live up to the targets set out or amend regulations to include provisions in line with current prison structure and staffing but retain the aspirational provisions as part of a strategic vision for improved system delivery. Another possibility would be to link with other ministries or local governments to develop community corrections functions to oversee semicustodial prisoners.

Recreation, Exercise, Education, and Labor

Prison facilities and routine should provide and plan for prisoner engagement in positive recreation outside prisoner accommodation areas. Recreation, exercise, movement, and meaningful activity, such as education and work, counteract negatives of confinement both mentally and physically and provide positive outlets for stress, pent up energy, and aggression. The SMRs specify that prisoners “shall have at least one hour of suitable exercise in the open air daily if weather permits.”³⁵

At a basic level, no facility locked prisoners in their cells twenty-four hours a day, as is often the case in security-challenged prison systems. Although outdoor spaces are inadequate, prisoners are generally free to move around the cellblocks from early morning until late evening lock up.

What is of concern is the lack of adequate outdoor space, time, and opportunities for positive activity. As highlighted earlier, access to sunlight and fresh air was poorly addressed in prison design. This problem was particularly acute at remand facilities and at Hodeida Central, where a covered yard is the only recreation space provided.

Prison directors lament that prison labor opportunities have been reduced and many workshop facilities have been closed in recent years due to lack of funding. Prison labor and vocational training are outlined as core to rehabilitation in the prison law, which sets out enlightened provisions that adhere to international standards for allowable work hours, remuneration, and the like.³⁶ Some women’s facilities offer a slightly better outlook with limited but functional sewing and crafts workshops.

Inmate education is offered at some facilities in partnership with the Ministry of Education. The only facility in which daily educational classes are fully operational is Sana’a Central, which has a small but impressive prison school, where teachers and students were keen to point out the positives of the educational opportunities they receive but noted scope for further improvement. The prison also has an impressive library accessible from one of the large prison yards.

Religious observance generally took place in open prison yard spaces. Muslims make up the vast majority of the inmate population, and access to imams is provided. Although no provision is made for other faiths, no resistance to other forms of religious observance is evident.

Immediate attention to ensuring basic access to sunlight and free movement in facilities where it is now most limited, notably Hodeida Central, is critical. A relatively modest allocation of funds to restore recreation, labor, and educational activities would significantly improve prisoner well-being and the overall management and security of facilities. Extension of schooling and vocational education across the Prison authority facilities should be a core goal in developing the prison system for the future. Reaching out to reaffirm the partnership between Ministry of Interior and Ministry of Education and clarify obligations on education provision is an important step in extending the positive example set by Sana’a Central.

Extension of schooling and vocational education across the Prison authority facilities should be a core goal in developing the prison system for the future.

Sanitation

Maintenance of basic sanitation is a major challenge for prisons, especially with factors such as overcrowding, infrastructure, and problematic sewage systems compounding the situation. SMRs set out basic requirements for sanitation as follows:

- The sanitary installation shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.
- All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.³⁷

ICRC has recently developed guidelines noting the importance of sanitation in controlling the spread of disease within prisons.³⁸ Guidelines note that the World Health Organization (WHO) recommends provision of one toilet per twenty-five persons, but that one per fifty is an absolute minimum, though this ratio is very low. Toilets should be disinfected once a week or, in the case of epidemic, twice a week. One shower per fifty inmates is considered the minimum to meet basic standards.³⁹

Sanitation facilities and bathrooms vary in quality and upkeep but are universally subpar. They require urgent attention in a number of facilities where conditions present serious prison and public health concerns. All toilets must be accessible during the day and at night, which is noted as a challenge in facilities where toilets are outside cellblocks. Authorities were keen to point out sanitation concerns and, in many cases, doing their best to be responsive in dealing with sewer and drainage system problems.



Photo 5. Women's Bathroom, Taiz Central

Many of the sanitation concerns in Yemen can be linked to poor infrastructure, design, and overcrowding. Sanitation systems were not well designed and cannot manage waste for numbers far beyond those intended. Most facilities have both too few and broken taps and showers, and the design of showers atop toilets, though the norm in many Yemeni bathrooms, further compounds drainage issues. Remand facilities in Sana'a have serious design flaws, leading to frequent overflows of the toilet system. Sewage leaks are common at Taiz and Hodeida Central Prisons and Hodeida Remand Prison.



Photo 6. Sewage Leak Along Perimeter Wall, Taiz Central

Practical and detailed guidance on calculation of estimated per capita waste generation; water requirements; latrine varieties, including environmental and cultural considerations; dimension and slope of drainage pipe installation; and latrine maintenance and inspection are available. Any new infrastructure projects should consider such factors in design and construction.⁴⁰

Basic refuse removal and prison cleaning vary greatly depending on prison leadership. Systematized refuse removal and daily cleaning and prisoner hygiene routines are important to maintaining a clean and hygienic prison environment. A number of prisons, including al-Thawrah and Hodeida Remand/Branch and Sayun Central, should be commended for their cleaning routines and have orderly clean cells and common areas and prisoners included in prison cleaning routines, provided with any necessary cleaning supplies. Other institutions are strewn with trash and disorderly, an aspect of sanitation that could easily be improved by a stronger prison hygiene routine and having staff and prisoners involved in maintaining clean facilities.

Basic prison cleaning routines do not require large resources but rather often are an issue of prison management and prisoner discipline. In the short term, prison directors should involve prisoners in cleaning and hygiene as part of prison routine. Review of sanitation infrastructure, design, and compounding factors (such as the impact of overcrowding) should form part of the recommended overall review of rehabilitation and redesign of prison facilities.

Food and Water

Access to food and water is a basic of human care. Provision of regular meals and potable water, free of charge, is vital for prisoners, who depend on institutions to survive.

- Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well-prepared and served.
- Drinking water shall be available to every prisoner whenever he needs it.⁴¹

Prison Act regulations stipulate that prison directors are responsible for inspecting kitchens to ensure that food is prepared well and distributed fairly and on time and for checking on the quality of groceries, foodstuffs, and monitoring their prices.⁴² The regulations also set out food allowances for detainees in precautionary detention and for prisoners sentenced to death but provide little general guidance on the types of food to be served, regularity of meals, or nutrition.

Food supply and nutritional value of meals was generally good, directors reporting that the previous head of the Prison Authority—dismissed following the AQAP breakout from Sana'a in February 2014—had significantly improved both the quantity and the quality of food sent to facilities. A number of exceptions persist at Taiz and Mukalla Central Prisons. Detainees at Taiz Central were insistent that they did not receive enough food daily, or of sufficient nutritional quality.

Overall, however, the Prison Authority and prisons should be credited for their generally effective management of food supplies and distribution. Few cases of malnutrition or hunger were observed, unlike in many transitional, postconflict, and developing countries, where food supply chains may have broken down or prisoner care is not prioritized. Conditions also strongly contrast with detention centers not under the Prison Authority—for example, police stations, where no budgetary assignment is made for detainee meals and they are generally only provided by family members.

Food and bread were cooked at the central prison facilities, in kitchens and bakeries, staffed by a mixture of civilian staff employed by the prison and prisoners assigned to assist. A number of central prisons also provide bread from in-house bakeries to supplement food prepared at remand facilities. Some prison directors, staff, prosecutors, and charitable organizations noted that supplemental food and water is provided by prisoners' families, local benefactors, other local municipal resources, or charitable organizations. A number of interviewees noted that budgetary allocations for food have not necessarily kept up with the greater numbers of prisoners and that without these outside supplements food shortfalls would be serious.

Kitchen location and hygiene are important aspects of prison design and management; ideally, kitchens are situated within or near prison compounds but not within cell blocks, and due consideration is given to waste water and smoke removal, fire safety, and ventilation.⁴³ Kitchen hygiene and wastewater is a concern at a number of facilities though cleanliness varied widely. Some kitchens were remarkably clean, staff and prisoners alike clearly taking pride in their food preparation role, others displaying little concern for cleanliness, insect infestations, and housing detainees sleeping near food preparation areas or foodstuffs. At Hodeida Central, a number of prisoners operate a makeshift restaurant with gas burners within the covered prison yard, presenting a serious fire hazard and health and security concern.

Access to sufficient clean, filtered water for drinking and water for washing is a challenge at a number of facilities. Three prisons have a sufficient supply, nine do not, and in one the situation is uncertain. Although water is an issue for all Yemenis, lack of water is particularly problematic for detained populations who are vulnerable to deficiencies. ICRC sets out the following requirements for water:

- one to two taps per hundred detainees
- ten to fifteen liters of water per day per inmates for all needs
- three to five liters of water per day as minimum for survival
- one liter per person per day for washing⁴⁴

Urgent attention is needed on water deficiency and provision in Yemen's prison facilities, as is development of clear guidelines at the prison level to include contingency options for dealing

At Hodeida Central, a number of prisoners operate a makeshift restaurant with gas burners within the covered prison yard, presenting a serious fire hazard and health and security concern.

with scarcity and maintaining water reserves for emergencies and full consideration in any expansion or renovation of existing facilities.

Solidifying gains and addressing outstanding insufficiencies in facilities like Taiz and Mukalla Central need to be a continuing priority. To continue to build on existing improvement, greater attention should be given to kitchen hygiene standards and protocol. Water concerns system wide should be a priority, in consultation with other relevant state authorities. Gas burners should be removed from crowded cell areas and operated exclusively in kitchen areas by kitchen workers.

Access to Medical Services

Provision of medical care is vital to ensuring prisoner well-being, particularly given the physical and mental stresses of incarceration. Numerous international standards and principles emphasize the importance of access to medical services without prejudice to a person's legal situation.⁴⁵ The SMRs contain detailed provisions stressing the need for prison medical care to be closely linked with state health services and setting out that prison health care should include health checks as part of admissions procedures, transfer of prisoners to hospitals when specialized care is required, pre- and postnatal, dental, and psychiatric. They also highlight the advisory role that medical professionals ought to play in prison inspections, particularly regarding nutrition and food preparation, hygiene, sanitation, heating, lights and ventilation of cells, clothing, bedding, physical exercise, and detainee condition.⁴⁶

The Yemeni Prison Act provides strong guidance for care that are closely aligned with the principles set out in the SMRs.⁴⁷ Additionally, in Yemen, as is recommended by numerous international standards, prison health services are delivered through the coordinated efforts of the Ministry of Health and the Prison Authority. Integration of prison health into public health services is considered influential in improving access and standard of care.⁴⁸ In 2003, the WHO further stressed the importance of closely linked health services and prison departments to ensure high standards of treatment for detainees, independence of personnel, application of modern standards of disease control, and continuous treatment for all members of society whether in or outside prison.⁴⁹

Where possible, the research team reviewed prison and detention center medical facilities and discussed health care with staff. Most central and remand prisons visited—ten of thirteen—have a basic medical clinic, the exceptions being Mukalla and Sayun Central Prisons in Hadramawt and the remand prison in Ibb. Although clinics are present in most centers, many are not staffed or operational, and almost all are inadequately resourced, staffed, and equipped.

Standard of care varies greatly but is universally subpar. At some prisons, clinics are available and staffed with regularly scheduled, permanent medical personnel, including doctors, nurses, and medical assistants. In others, prison directors complain that doctors rarely show up. In some prisons, directors have loose arrangements with local doctors to attend on occasion or in emergencies. At three facilities, inmates were observed as involved in providing medical care, which is acceptable only when medical staff provide adequate supervision, which was not observed as the case. Ambulances or means to transport detainees requiring specialist care are also in short supply, a number of prisons using personal vehicles or taxis instead. Permission for prisoner transfer also requires approval from the deputy prosecutor general. Delays with this process and refusals are a concern to clinic staff and prison leadership, one interviewee exclaiming, “Even when you request for a detainee to go to the hospital, they act offended. It’s like this is a forgotten person and why should they get medical treatment.”

Although clinics are present in most centers, many are not staffed or operational, and almost all are inadequately resourced, staffed, and equipped.

At a number of larger facilities, such as the central prisons in Sana'a, Taiz, and Aden, small medical center blocks are present within the prison compound and feature a number of examination rooms and basic infirmary, but in most cases, clinics are very basic rooms with scant medical instruments, no modern equipment, and in some cases unclean and unhygienic. Medical cases range from serious injuries sustained either before or after entry into the system, such as gunshots, broken limbs and necrosis, cuts and abrasions. A number of patients receive treatment for conditions such as heart disease, epilepsy, and hemorrhoids.

The most common ailments—which each appeared at between five and seven prisons—were infections of the chest, stomach, eyes, and skin. Scabies were rampant at just over half (54 percent) of Yemen's prison facilities, unknown at 38 percent, and rare at 8 percent. Scabies mites are microscopic insects transferred through personal contact, causing skin irritation. Such infections and vector-borne conditions are common in almost all prisons but particularly virulent in confined, crowded spaces. High rates of such infections and conditions often indicate overcrowding. Damp conditions or poor bedding can exacerbate colds and chest infections. Stomach and gastric illness is also often linked to poor sanitation and hygiene.

Diagnosed tuberculosis was reported at three facilities. Tuberculosis is highly contagious, and medical staff noted that ensuring infected patients are isolated to prevent the spread is a challenge given space limitations. HIV was reported at one facility. Although the research did not focus on policies toward HIV/AIDS infected patients, it was clear from instances when it was raised by prison staff that education on HIV positive prisoners, their rights, and treatment is needed. Medical authorities also indicated that numbers are not properly recorded and thus are likely inaccurate.

Psychiatric care, psychological, and social support for inmates is not offered at most of Yemen's prison facilities. Imprisonment, detention, and processing throughout the criminal justice system generally translate to detainee anxiety, hypertension, depression, and a sense of isolation from family and community, all of which were observed in the Yemeni system. Broader access to psychiatric care as part of prison medical services should be given consideration. Additionally, little to no provision is made for psychiatric care at remand facilities and a few highly disturbed and distressed inmates were observed, handled with difficulty by prisoners and staff.

Access to dental care is almost universally absent save for limited treatment at Sana'a Central and a trained dentist prisoner at Hodeida Central, who provides some basic care but lacks the necessary tools and instruments to properly attend to patients. As in prisons worldwide, dental care should be a priority health care area, because oral hygiene can indicate other health issues and does affect overall immunity.

A shortage of medications and supplies is an issue at almost all facilities, approximately 92 percent, the situation at the remaining 8 percent being unclear. At a number of facilities, prison directors noted that donations from local nongovernmental organizations (NGOs) or the community are necessary to supplement medical needs or that prisoners and their families must pay for medication to receive treatment. Medical authorities noted that inmates with chronic conditions are expected to provide their own funding for care and that those without the means or family support are often left untreated. Additionally, expired medication was observed at one central prison and four remand prisons. Medical specialist staff appeared unaware of the issue and expressed serious concern on observation, marking expired medication for immediate removal and educating prison staff that delivery of such medication should not be accepted and that medication should be regularly checked to ensure that it has not expired. Small batches of the same types of expired medication were observed in a few

Tuberculosis is highly contagious, and medical staff noted that ensuring infected patients are isolated to prevent the spread is a challenge given space limitations.

remand prisons rather than being an issue for all medication, possibly indicating mistaken delivery of a problematic batch. Nonetheless, expired medication at prison clinics must not be allowed, and both the Prison Authority and Ministry of Health must be vigilant to ensure that it is eliminated.

Medical professionals involved in prisoner care expressed frustration with the prison health system, observing that quality care is often affected by prison bureaucracy and any limits on their movement within prisons. Nontransparent hiring practices and systematic impediments for dedicated professionals has further reduced the pool of doctors willing to serve prisoners, resulting in a reported 95 percent of prisons operating without medical doctors, care being instead provided by nurses or fellow prisoners. Furthermore, authorities project that approximately six to seven hundred medical workers are required to provide basic care, yet the current figure is just seventy-four.

In spite of excellent provisions for prisoner health care in the Yemeni Prison Act, the area requires urgent attention and improved standard of care. Doctors, nurses, medical assistants, prison directors, and indeed inmates struggle to provide the best care possible within a difficult set of circumstances in many locations. Few, however, appeared to be aware or have time to attend to broader aspects of their role, such as inspections and nutrition. Additionally, prison doctors and health workers—when correctly educated about their role—can serve an important function in reporting instances of physical or mental maltreatment, patterns of abuse, and so on.

Renewed commitment and partnership is required on the part of the Ministry of Health, Ministry of Interior, and Prison Authority to raise prison medical services to an acceptable level. Clear policies and protocols for care should be developed jointly and assessment of current resource commitment should be reviewed. ICRC has led in this area, providing some corrective assistance particularly to upgrade remand prison clinics, on the assumption that the Ministry of Health will staff the clinics with appropriate medical staff. The new clinics were in place, but prison directors noted that staffing remains a problem. One interviewee criticized the Ministry of Health for viewing prison health “as a charity rather than as part of their job and institutional duty.”

Contact with the Outside World and Visits

International standards set out in the SMRs guarantee contact with the outside world through visits and correspondence with family and access to legal counsel.⁵⁰ Accordingly, the Yemeni prison law outlines that all prisoners have a right to

- meet with family, relatives, and friends;
- receive and reply to correspondence; and
- receive and transfer money.⁵¹

Additionally, the law and regulations provide further detail on a number of special prisoner categories. Remand prisoners are permitted to receive visits from relatives and legal counsel once written permission is provided as part of the remand order.⁵² Prisoners pending release can be visited for a minimum of one hour, the prison director having the discretion to increase the time allowed.⁵³ Inmates sentenced to death are entitled to a visit from family and relatives one day prior to execution, and the prison director is responsible for communicating this information to family.⁵⁴ Deprivation of visit privileges “for a period of one or two times” is set out as a low level disciplinary measure, which can be authorized—by the prison director—in response to prisoner misconduct.⁵⁵

Authorities project that approximately six to seven hundred medical workers are required to provide basic care, yet the current figure is just seventy-four.

Although the law and regulations do not set out a statutory minimum time allowance for visits, approaches to visit time were in practice observed to be generous at most facilities, prison leadership generally having standard visit hours, allowing visits to occur over a number of hours, several days each week. Most visits were observed as noncontact visits through a designated visit area in which visitor and detainee were separated by a metal grill. International good practice trends now indicate that contact visits—with no barrier between prisoners and visitors—should be the norm.⁵⁶ Contact visits, particularly face-to-face family visits, were observed at a few prisons but were often chaotic and insecurely managed. Nonetheless, most directors appear to place no limit on the number of visits or visitors detainees may receive—an enlightened approach that should be encouraged with appropriate consideration to security.

Two areas of concern were highlighted. First, prison staff noted that female detainees often receive fewer visitors, in part because of societal attitudes toward female offenders. Second, foreign detainees at a number of facilities were concerned about lack of access to their embassies and telephone calls to family.



Photo 7. Visiting Area, Sana'a Central

Conjugal visits—private visits between an inmate and spouse—are permitted at several central prison facilities. These visits, recognized as important for preserving familial bonds, occur in rooms set aside for such use. Family visitation rooms were under construction at some facilities at the time of study. Although not stipulated in prison regulations, prison officials described a relatively uniform approach wherein couples must petition the prison for a time slot and present both identification and a valid marriage certificate to be eligible. The program is restricted to the adult male prison population—prison authorities noting that the prison system could not cope with pregnancies that might emerge from female inmate conjugal visits, given that women's health and childcare services are already strained. Inequality between male and female inmates aside, Yemen's approach to conjugal visits is progressive compared with numerous developed countries such as the United Kingdom, New Zealand, and parts of the United States and Australia, which do not permit conjugal visits. Yemen fits with a global shift toward increased private visits for inmates backed by research indicating that it assists with rehabilitation and ability to reintegrate into family life on release.⁵⁷

Consideration should be given to ways to increase visits for female detainees to ensure maintenance of familial bonds. Foreign detainees must, as required in the SMRs, be provided “reasonable facilities to communicate with diplomatic and consular representatives.” A further step to improving visitation rights would be to enable secure no-barrier contact visits, particularly for prisoners and families.

Special Category Prisoners

Women

As in many countries worldwide, women in Yemen are a tiny percentage of the overall prison population (see table 5). Nonetheless, design of care for female detainees is particularly important because women are vulnerable in prisons and their requirements—given gender, social dynamics, culture, and childcare responsibilities—differ from men’s. The 2010 adoption of the United Nations *Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders* is an important advance in recognition of the gender-specific needs and necessary safeguards for women in the criminal justice process.⁵⁸

Table 5. Women to Total Population in Central Prisons

	Women	Total Inmates	Ratio
Sana’a	77	2,326	1:30
Taiz	48	1,577	1:33
Ibb	25	1,235	1:49
Hodeida	30	951	1:32
Aden	17	723	1:42
Mukalla	7	483	1:69
Sayun	—	87	—

Female offenders in Yemen are generally transferred to women’s sections of central prisons almost immediately following arrest because neither police stations nor remand facilities are equipped with separate sections or cell areas for women, nor do they generally have female staff. Pre-trial and sentenced detainees in the female wards of central prisons are therefore held together. Additionally, no female juvenile centers are currently operational, so female juveniles are mixed with the adult population.⁵⁹

As with male facilities, women’s prisons do not segregate detainees, and prisoner classification is mainly by age. At Hodeida Central, a juvenile female with a mental disability was being held with the female inmate population despite not having been charged with or accused of any crime, as she had been found in the company of men and no family could be located.

Female offenders often need heightened psychosocial support to counter the strong impact of disrupted family life, social stigma, and isolation. Additionally, many women in prison are former victims of abuse or are imprisoned for crimes with an abuse component, such as adultery or prostitution. Distress, shame, and depression were evident among female detainees. As noted, prison staff pointed out that female detainees tend to receive significantly fewer or no visitors, many having been abandoned and rejected by family and community.

Female health and childcare were challenging at all facilities visited. Infants and children imprisoned with their mothers were present in all female prisons, but facilities are not well designed for children's needs. Bathrooms were often narrow, and washing facilities made bathing infants and children difficult. Lack of formula, clean water, sterilization equipment, diapers, and female sanitary products were listed as a concern, and there was little evidence of nursery or play facilities at most centers. Maternal and specialist female health workers are in short supply, and staff noted great need for specialist medical care. At Aden Central, a large uncovered sewer in the courtyard is a serious health risk and danger for small children and inmates alike.

Pregnant, nursing, new mothers, and babies delivered in prison are covered under health care provisions of the Prison Act. The law outlines that pregnant prisoners are entitled to appropriate health care before, during, and after delivery; that birth inside a prison shall not be mentioned in the official records of the country; and that babies may stay with mothers until the age of two and after if no competent guardians can be found, with some discretion allowed depending on medical advice and the discretion of the respective governor or based on the minister of interior's order.⁶⁰ These provisions comply with international standards set out in the SMRs, and the spirit of the law was generally observed, but adequate provision of health care remains a key challenge.

Staff to prisoner ratios in female prisons were very low, one to two female guards for the entire section working long shifts without rotation. Few female prison guards and carers are available within the Yemeni system, and almost no females observed in prison leadership roles. Overall figures of women working in the country's security sector generally are extremely low due to cultural and societal pressures, but female officers noted that additional shame and negatives are associated with work as a female prison guard.⁶¹

Male staff sensitivity to entering female sections unannounced varied, some facilities careful to minimize entrance of male staff or large delegations to female areas, and others refusing requests from the research team to wait outside. Male staff also entered female sections sometimes carrying weapons, a practice also reflected in male sections.

On the positive side, women's facilities are less crowded than male facilities, are regularly visited by local or international NGOs, and had workshop facilities, sewing rooms, crafts, and classrooms (though some were not functional). In addition, civil society, local benefactors, and charitable organizations appeared to actively support female detainees, meaning that more resources were available for and more attention given to women on some issues. Nonetheless, facilities overall are inadequate for the needs of detainees, in many places requiring repair and greater funding.

Improving conditions for female detainees would first require increasing the number of female prison guards and of social workers and psychologists working with female detainees. These social workers might facilitate greater engagement with families of female detainees and connections to society. Restarting education and work opportunities, such as workshops and sewing rooms, would, as noted earlier, help relieve stress and depression among female inmates and potentially ease later reintroduction into society. A longer-term project is to address the lack of pre-trial and juvenile detention options for female detainees and to increase provision for children of detainees (to include nurseries, education, and play).

Mentally Ill

Care for prisoners with mental health needs is a challenge in all countries. Different countries have adopted incarceration models ranging from secure hospitalization or outpatient care outside the prison system to mixing with the general prison population. Incarceration places mental strain on all prisoners but can be particularly damaging and dangerous for those who are

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mentally ill and presents an array of management issues for staff. The Prison Act stipulates that if “the prisoner suffers from a psychological or mental disease, he shall be transferred to the psychological and mental hospital based on the report of the competent doctor and in accordance with related regulations.”⁶²

In the past, detainees with mental health needs were often removed from the prison system and placed in psychiatric hospitals. At present, incarceration and treatment are within the system in assigned separate psychiatric wards within the compounds. In theory, this allows for specialist care and separation of detainees who both are vulnerable and can have violent or disruptive behaviors. In practice, however, wards for the mentally ill were observed as inadequate in providing care, and implementation of segregation varied. Sana’a Central, Taiz, Ibb, and Hodeida had fully separate walled units within the central compound, Aden a very limited free-standing cellblock, and Mukalla and Sayun an open space within the compound. Mental health wards are available for adult male detainees only. Mentally ill female and juvenile detainees are dealt with within their cell areas.

Wards for the mentally ill were beyond staff control and observed—in Aden, Sana’a, and Taiz Central—as dangerous. Due to lack of funding, wards are insufficiently staffed—also not adequately provided with specialist psychiatric and medical staff, psychologists, social workers, and guards capable of sensitively and safely handling the detainees. Guards expressed fear and were concerned about allowing access to these areas. Discussion with mental health staff reflected great need and low availability of care. Few doctors, psychologists, and nurses can be convinced to take on positions within the prisons because the jobs offer comparatively low salaries and are considered undesirable.

Availability of specialist medication varied. Where available, it was often not tailored to patient’s needs, given that many do not receive detailed or proper diagnoses. Treatment is confined to medication and electroconvulsive therapy (ECT), and staff are typically unable to provide psychosocial treatment, behavioral therapies, and the like.

Such care may be limited within central prisons but is nearly nonexistent after arrest and during remand phases. Treatment at remand facilities was a concern during observation. At one facility, for example, prisoners were observed using force and beating a mentally ill prisoner to restrain him while guards looked on.

In a number of facilities, isolation cells are used to hold violent or problematic mentally ill inmates, and the threat or use of overnight stays in the mentally ill ward was reported as a disciplinary measure for the general prison population. Such practices are harmful and should be stopped.

Given the weakness of mental health treatment within the detention system, the criminal justice system and prison authorities should consider greater use of outpatient services and alternatives to incarceration for nonviolent mentally ill offenders. The Prison Authority should work with the Ministry of Health to overhaul mental health protocols for prisons, including increasing both availability of mental health professionals and treatment options and medication. A cadre of specialist prison guards should be trained to work in conjunction with trained psychiatric nurses in psychiatric wards.

Juveniles

Definition of a juvenile in the Yemeni criminal justice system is in flux. Yemen ratified the Convention on the Rights of the Child in 1991, defining a child as anyone under eighteen years, but culturally the age of majority is generally considered to be fifteen.⁶³ A bifurcated system currently operates wherein fifteen- to eighteen-year-old offenders are considered adult

At one facility, prisoners were observed using force and beating a mentally ill prisoner to restrain him while guards looked on.

and fall under Prison Authority jurisdiction. Offenders under fifteen fall under the Ministry of Social Welfare and are housed in juvenile care centers, staffed primarily by teachers, social workers, and psychologists, the Ministry of Interior providing perimeter security only.

Since 2001, the Ministry of Interior and the Ministry of Social Welfare, along with the United Nations Children's Fund, the European Union, donor countries, Penal Reform International, Save the Children, and numerous local NGOs, have been engaged in a cooperative strategic reform project that has gradually developed and shaped the notion of juvenile protections within the criminal justice system. There are now eleven juvenile care centers in Yemen to divert young offenders away from the punitive adult system toward a more rehabilitative, caring approach. Specialist police stations and juvenile courts are being developed to complete the program. One sticking point is the issue of age of majority, some arguing for the full segregation of fifteen- to eighteen-year-old juveniles in detention units within the central prison system with an array of rehabilitation programs attached, as has been implemented in Sana'a Central. Others argue for the full removal of offenders younger than eighteen from Prison Authority jurisdiction and into juvenile care facilities.

The research team visited Juvenile Care Centers in Sana'a, Aden, and Hodeida. A pilot juvenile police station in the Crater area in Aden is preparing to open but not yet fully operational or receiving juveniles. The benefits of specialist juvenile care are clear. Facilities are styled more like boarding schools than detention facilities, characterized by brightly painted and decorated, clean, orderly dormitories separated by age and supervised twenty-four hours a day by child protection staff. Although bathroom cleanliness at juvenile care centers is not ideal, wear-and-tear from high occupancy by often difficult youth is a challenge, and funds to conduct repairs are lacking. Children are encouraged and instructed to maintain cleanliness and good hygiene in their physical appearance and surroundings. Routine includes daily school lessons, group and individual psychological counseling, play, sport, theater, art, and vocational skills. Maintenance of family connection is strongly encouraged, with flexible visit times and occasional home visits where possible. Security is a concern. The low-wall, low-security approach, though positive in terms of rehabilitation and fostering a caring environment, allows for more frequent escapes. Overall, although a comprehensive review of the facilities was not possible, it is clear that juvenile care in Yemen represents a more enlightened, rehabilitative approach, lessening the exposure of juveniles to criminalization, radicalization, and victimization typical within the adult system. Female juvenile care is a particular challenge. Because of funding cuts to numerous centers, female juvenile sections have been closed and offenders are currently housed within women's facilities at central prisons.

Within Prison Authority prisons, juveniles are a small but significantly at-risk population. At central prisons and remand facilities, juveniles are generally at minimum segregated by cell but mix freely with the prison population during the day in most facilities. Given that key control is generally within inmate rather than staff control and that no supervision is provided at night, major concerns for juvenile safety and vulnerability to abuse require urgent review. Additionally, despite the age brackets provided at interview, juveniles are housed within the adult prison population and at remand centers (see table 6).

Sana'a Central operates as a pilot model for a fully segregated juvenile detention facility within the central prison system. Unlike at most central prison facilities, Sana'a Central holds juveniles age fifteen to eighteen in a separate block dedicated for their care. The area houses a library, small workshop, game room, TV room, and prayer area but lacks a dedicated outdoor area despite occasional access to a soccer pitch and volleyball court. Positive strides have been

Table 6. Juveniles to Total Population in Central Prisons

	Juveniles	Inmates	Ratio
Sana'a	77	2,326	1:30
Taiz	32	1,577	1:49
Ibb	27	1,235	1:46
Hodeida	31	951	1:30
Aden	14	723	1:52
Mukalla	2	483	1:242
Sayun	1	87	1:87

made in terms of education and recreation provision, and the prison is clearly proud of its investment in juvenile education, the director and staff noting that many have finished high school as prisoners and a number are studying at university level courses, such as commerce, literature, humanities, and law. The juveniles have a very enthusiastic and active supervisor—a Jordanian with a master's degree in education—in charge of the area, who sleeps in a room within the facility and is available 24/7. He demonstrated deep care and pride in the boys' achievements and interest in ensuring talent development and aftercare programs for juveniles. That said, the supervisor is a serving prisoner. Consideration should be given to the appropriateness of involving inmates in juvenile care, and staff and prisoners alike in caretaking roles responsible for juveniles should be carefully vetted and supervised.

Although serious concerns about juvenile care in Yemen prisons remain, recent reforms indicate what can be achieved in the system as a whole. The constructive, sustained dialogue across the Yemeni government, civil society, and the international community has led to substantial improvements to juvenile detention and care and should be continued.

The United Nations Standard Minimum Rules for the Administration of Juvenile Justice⁶⁴ and United Nations Rules for the Protection of Juveniles Deprived of Their Liberty⁶⁵ provide a framework for treatment of juvenile offenders and highlight limiting institutionalization of minors wherever possible and only exceptional use of pre-trial detention for juveniles. Where possible, removal of minors from prison facilities to suitable juvenile care facilities or, if possible, to the custody of their families is preferable.

At a minimum, all currently detained juveniles under eighteen must be segregated from incarceration and socialization with adult offenders. As part of an overall rework of staffing and training, specialist staff should be trained for juvenile care at prison facilities.

Conclusion

In its political transition and reform, Yemen faces complex and challenging security threats. This turbulent period, however, also presents rare windows of opportunity for change, shedding the structures of the past and embracing a new vision for security and justice. Central to this, addressing the weaknesses and deficiencies in the prison system will be key to promoting rule of law and improving security. Woven throughout this report and set out here, analysis and recommendations seek to address both core thematic areas of concern and how and when to address them.

The Yemeni prison law and regulations provide an excellent basis for reform. Although in need of development, particularly to add greater specificity, they are a solid legislative base from

Decreasing overcrowding not only improves quality of life for prisoners but vastly improves security strain placed on guards and prison infrastructure.

which to build a progressive, rights-based approach to imprisonment. Many of the recommendations in this report are aimed at ensuring better conditions for both prisoners and staff because well-being has an important bearing on the strength and stability of the prison system as a whole. Improvements in organizational structure and prisoner well-being, for example, can act as a lever for improved security. Decreasing overcrowding not only improves quality of life for prisoners but vastly improves security strain placed on guards and prison infrastructure. Ensuring that prisons provide recreation, sport, labor, and training not only allows prisoners to engage in meaningful activity but also improves physical and mental health, lessens the strain on medical services, reduces conflict by providing an outlet to counteract confinement, promotes rehabilitation, and provides skills for reintegration of prisoners into society. Similarly, emphasis on a strong prison routine not only improves prison sanitation and prisoner hygiene but also provides order and promotes calm.

At a national level, reform should be led by the Prison Authority and Ministry of Interior, bringing together all relevant ministries working on prisons—including the ministries of Health, Education, Social Welfare, and Justice—in dialogue. The process should also embrace involvement of local civil society engaged in prisoner care, international organizations, and donor representatives, which allows for cooperative input, technical expertise, and potential financial assistance. In parallel, strategic working groups and consultation at prison leadership level should feed ground realities and needs into the national level process. Furthermore, momentum and inspiration can be drawn from juvenile detention reform processes already under way. The cooperative multistakeholder approach adopted to focus on juvenile justice has yielded results for juvenile care that could be built upon in the prison system more broadly.

Although financial and strategic capabilities investment will be required to comprehensively advance reforms in prison conditions, security and care, dialogue, prisoner care, and security has the potential to galvanize more straightforward changes as well. Two examples are reaffirming commitments to medical care and education for prisoners as part of the state health and education sector and agreeing to partnerships with civil society or donors to provide bridging assistance on key areas of need.

Prison leadership should not lose sight of areas currently within their control that could be improved. Immediate priority should be given to urgent security and welfare concerns, such as ceasing prisoner key control and regaining authority over cell areas. The very core life-sustaining needs of vulnerable prison populations must be ensured—weaknesses in water and provision of sufficient food of good nutritional value need attention. Facilities reaching dangerous 150 percent and higher levels of overcrowding—such as Ibb, Mukalla, Aden, Sana’a, Taiz, and Hodeida Central Prisons, along with al-Mu’allim and Alaya Remand Prisons in Sana’a—should stop receiving inmates. Early investment in simple, often low-cost changes can influence prisoner well-being, such as instilling a basic sense of routine and providing sufficient access to fresh air and sunlight each day. Health and safety measures, such as not allowing open burner flames unsupervised in public yards and cells, checking stocks for expired medication, covering and attending to sewers, and instilling rules for proper use of isolation cells, could be implemented immediately at little to no cost, but with great impact.

A further set of recommendations require significant time and financial investment and entail more invasive reforms to address system needs either urgently or in the medium to long term. For example, the Yemeni government, with support from the international community, needs to urgently confront the security threat posed by radicalization and recruitment within

the prison population—a risk to both local and international peace and security. Relatedly, though likely to occur through phased development over the medium to long term, prison infrastructure needs to be rehabilitated and redesigned to meet security and prisoner care needs. Guard training and personnel development must be undertaken as a priority but will require sustained investment up front and consistently going forward to run secure, well-managed prison facilities. Processes for change must be commenced immediately, laying foundations for development through reform dialogue.

Despite the many challenges, small windows of opportunity for prison reform are emerging. Many, in fact, are well within reach. The chance to embrace change in this crucial period of security and justice reform should not be missed.

Recommendations

Four prison-specific recommendations are urgent.

- Stop assigning inmates to Ibb, Mukalla, Aden, Sana'a, Taiz, and Hodeida Central Prisons and to al-Mu'allim and Alaya Remand Prisons in Sana'a.
- Address food and nutritional concerns at Taiz and Mukalla Central.
- Give immediate attention to ensuring basic access to sunlight and free movement in facilities where it is now most limited, notably Hodeida Central and Sana'a remand/branch facilities.
- Address and immediately correct conditions and use of isolation cells at Sana'a Central.

System-wide recommendations for the longer term fall into sixteen categories.

Legal and regulatory framework

- Encourage immediate full implementation of project to provide laminated booklets on prisoner's rights and staff duties to inmates and staff. Consider other programming dedicated to communicating rights and duties given the low literacy rates in Yemen.
- Undertake multistakeholder review of the prison law and regulations, including assessing resource and management requirements for compliance, developing realistic expectations for prison directors now, setting progressive goals for improvement, identifying ways to support efforts to apply the law into the future, and expanding the regulations to comprehensively cover all core aspects of prison management.

Levels of detention and prisoner classification

- Confront, with the aid of the international community, the security threat posed by radicalization and recruitment within the prison population.
- Train and sensitize prison leadership and guards to observe spectrums of radicalization activity in prisons, reporting signs of group formation, incidents of nonviolent or violent resistance, escape attempts, internal attacks on guards or prisoners, and signs of communication with criminal, radical, or extremist groups outside the prison compound.
- Detail prisoner classification policies and contain extremist prisoners immediately and securely. May necessitate reassigning or segregating prison yard space or temporarily implementing regulated shifts for outdoor and recreation spaces.

Staffing roles

- Review staff numbers, roles, protocols, and training.
- Review and clarify prison leadership roles, responsibilities, career path, and training.
- Provide specialist prison guard training with a tailored curriculum involving both theoretical and practical components as well as regular in-service refresher training, sensitivity training, psychological evaluation, and support.
- Develop both basic and specialist training curricula in line with the Prison Act and regulations and staff and prisoner rights handbooks, with sensitivity to literacy rates.
- Launch a cross-ministry discussion on providing, posting, and financing specialist support to include the ministries of Interior, Justice, Social Welfare, Education, and Health.

Prison security

- Undertake a full security review with the goal of improving security and safety of central prisons and supplementing funding for infrastructure repair and reinforcement.
- Immediately clarify and instill basic security procedures and protocols, such as the need to maintain key control or to refrain from carrying firearms within prison cells.
- Expand and clarify security and order provisions in the regulations.

Physical infrastructure

- Undertake a review, for the short to medium term, of outdoor space and potential remedies. Give greater attention to improving exercise, recreation, and other provisions for remand facilities.
- Consider, for the medium to long term, rehabilitation and construction of prisons, carefully contemplating needs, planning, and consultation in prison design standards.

Prison registry and data overview

- Institute basic monitoring procedures for administrative staff and leadership to improve accuracy of prison numbers and reporting.
- Improve monitoring and data-driven strategic management and planning for the medium and long term.

Use of isolation cells

- Review and standardize policies and procedures for use and presence of isolation cells in the regulations for implementation, including processes of appeal to isolation cells use, review, medical observation, and careful oversight by prison directors.

Communication with inmates

- Reinstate complaints procedures for prisoners.
- Incorporate in prison leadership and guard training the importance of maintaining positive relations and professional communication with prisoners.

- Assess—by observation and discussion—ways to strengthen the role of prosecutor generals in processing prisoner complaints and monitoring care.

Overcrowding and accommodation

- Consider immediate relief measures—to include transfers—in cases of gross overcrowding, such as issuing release orders for those who have overstayed their sentence or when pre-trial limitations have been surpassed.
- Review root causes of overcrowding with an eye to developing medium- and long-term solutions.

Due process, unsentenced prisoners, and release issues

- Work with the Ministry of Justice on the overcrowding review to study root causes of delayed release, fines, and the debts system.

Recreation, exercise, education, and labor

- Give immediate attention to ensuring basic access to sunlight and free movement in facilities where it is now most limited (notably Hodeida Central).
- Reallocate funds to restore recreation, labor, and educational activities.
- Include dialogue and reaffirmation of partnerships between the Ministry of Interior and Ministry of Education to clarify and renew obligations on education provisions.

Sanitation

- Involve prisoners in cleaning and hygiene as part of prison routine.
- Review sanitation infrastructure, design, and compounding factors.

Food and water

- Address food and nutritional concerns in facilities characterized by deficiency.
- Make water concerns system-wide a priority in consultation with other relevant state authorities.
- Remove gas burners from crowded cell areas.
- Review kitchen hygiene standards and protocol.

Access to medical services

- Include dialogue and reaffirmation of partnerships between the Ministry of Interior and Ministry of Health to clarify and renew obligations on medical service provision.

Contact with the outside world and visits

- Ensure the rights of foreign detainees to good communication with embassy representatives and family.
- Consider ways to increase visits for female detainees.

- Consider permitting secure no-barrier contact visits for prisoners and families.
- Set out clear policies and procedures around conjugal visits.

Special category prisoners

- Increase number of female prison guards. Direct recruitment campaigns to reduce stigma for female prison guards.
- Train female guards alongside male counterparts and include training on interaction with victims of abuse.
- Increase number of social workers and psychologists working with female detainees and seek to engage families of female detainees and connections to society.
- Address the lack of pre-trial and juvenile detention options for female detainees and provision for children of detainees (to include nurseries, education, and play).
- Instruct prison leadership that isolation cells must not be used to house mentally ill prisoners.
- Eliminate confinement overnight in the mentally ill ward as a punishment for prisoners.
- Work with Ministry of Health to overhaul mental health protocols for prisons, including urgent discussion of provision for mental health professionals, treatment options, and medication.
- Consider greater use of outpatient services and alternatives to incarceration for non-violent mentally ill offenders.
- Train a cadre of special guards to work in conjunction with trained psychiatric nurses in psychiatric wards.
- Segregate offenders under eighteen from incarceration and socialization with adult offenders.
- Consider removing minors from prison facilities to suitable juvenile care facilities or, if possible, to family custody.
- Train specialist staff for juvenile care and prison facilities.

Notes

1. For ease of reading, and due to the fluid nature of detention, pre-sentence, and post-sentence in Yemen, the terms *prisoner* and *detainee* are used interchangeably throughout the report. When detainees were clearly pre-trial, the term *detainee* has been used.
2. U.S. Government Accountability Office, “Growing Inmate Crowding Negatively Affects Inmates, Staff, and Infrastructure,” September 12, 2012, www.gao.gov/products/GAO-12-743; Hans-Joerg Albrecht, “Prison Overcrowding—Finding Effective Solutions,” Max-Planck-Institut für Ausländisches und Internationales Strafrecht, 2012; UN Office on Drugs and Crime, “Handbook on Strategies to Reduce Overcrowding in Prisons,” 2013, www.unodc.org/documents/justice-and-prison-reform/Overcrowding_in_prisons_Ebook.pdf.
3. The exact duration of the agreement was twenty-seven months, which included the three months before the February 2012 presidential elections.
4. Gulf Cooperation Council (GCC) agreement, Article 13 (c), www.al-bab.com/arab/docs/yemen/yemen_transition_agreement.htm.
5. See April Alley, “Yemen’s Military-Security Reform: Seeds of New Conflict?” International Crisis Group Middle East Report no. 139, April 2013, www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iran%20Gulf/Yemen/139-yemens-military-security-reform-seeds-of-new-conflict.
6. The NDC was initially supposed to close in August 2013 and to move immediately toward a new constitution drafting process, followed by regular elections instituting a new government. However, political standoff has frustrated the benchmarks of the GCC agreement at each step in the process. The NDC ultimately closed on January 25, 2014, and NDC representatives agreed to delay the next stages of the transition process accordingly. In its final closing session, NDC delegates agreed to extend the transition process for at least one more year, until roughly February 2015, to ensure implementation of the NDC recommendations and appropriate preparations for elections. The NDC closing document left President Hadi in office until a new president is elected. Also the drafting of the new constitution, referendum, and election deadlines originally envisioned in the GCC extended were to take place through 2014 and 2015. See Erica Gaston, “Process Lessons Learned in Yemen’s National Dialogue,” USIP Special Report no. 342, February 2014, www.usip.org/publications/process-lessons-learned-in-yemen-s-national-dialogue; Tobias Thiel, “Yemen’s Negotiated Transition between the Elite and the Street,” London School of Economics and Political Science, Middle East Centre blog, March 3, 2014, <http://blogs.lse.ac.uk/mec/2014/03/03/yemens-negotiated-transition-between-the-elite-and-the-street/>; and Chatham House, “Prospects and Challenges for Yemen After the National Dialogue: Meeting Summary,” April 4, 2014, www.chathamhouse.org/sites/files/chathamhouse/field/field_document/20140404ProspectsChallengesYemenFinal.pdf.
7. See final National Dialogue Conference Final Document, www.ndc.ye/default.aspx, 141.
8. MOI and Prison Authority officials interviewed suggested that relatively few structural changes as a result of the NDC conclusions were likely because many of the changes that would be required had already been put in place in the security sector reform efforts in 2013.
9. See Mohammed Ghobari, “Houthis Tighten Grip on Yemen Capital After Swift Capture, Power-Sharing Deal,” Reuters, September 22, 2014; International Crisis Group, “Conflict Alert: Unrest in Sana’a,” press release, September 8, 2014, www.crisisgroup.org/en/publication-type/alerts/2014/conflict-alert-unrest-in-sanaa.aspx. For background on the conflict between the Yemeni government and the Houthis, see April Longley Alley, “The Huthis: From Saada to Sanaa,” International Crisis Group Middle East Report no. 156, June 10, 2014, www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iran%20Gulf/Yemen/154-the-huthis-from-saada-to-sanaa.pdf.
10. Human Rights Watch, “Yemen: Detained, Tortured, and Disappeared,” May 7, 2012, www.hrw.org/ru/node/106995; U.S. Department of State, “Yemen 2013 Human Rights Report,” www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220385; Library of Congress—Federal Research Division, “Country Profile: Yemen,” August 2008, <http://lcweb2.loc.gov/frd/cs/profiles/Yemen.pdf>.
11. U.S. Department of State, “Yemen 2013 Human Rights Report”; IRIN News, “YEMEN: Growing Calls for Closure of Private Prisons,” May 2, 2007, www.irinnews.org/report/71905/yemen-growing-calls-for-closure-of-private-prisons; International Committee of The Red Cross (ICRC), “Yemen: Alleviating the Suffering of Detainees,” July 31, 2013, www.icrc.org/eng/resources/documents/interview/2013/07-31-yemen-detainees-macsweeney.htm.
12. Introductory paragraph, Prison Authority Organization Act, Republican decree No.48 (1981). Translated copy received from international NGO.
13. Article 32(3), Prison Authority Organization Act, Republican decree No.48 (1981) and Article 58, Prison Act Regulations.
14. Article 8, Standard Minimum Rules for the Treatment of Prisoners.
15. Chapter 7, Article 32, Prison Act.
16. Greg Hannah, Lindsay Clutterbuck, and Jennifer Rubin, “Radicalization or Rehabilitation: Understanding the Challenge of Extremist and Radicalized Prisoners,” RAND Europe, 2008.
17. Chapter 2, Article 4, Prison Act Regulations.

18. Chapter 2, Article 4(6), Prison Act Regulations.
19. Article 49, Standard Minimum Rules for the Treatment of Prisoners.
20. Chapter 3 and Chapter 6, Prison Act Regulations.
21. Article 47, Standard Minimum Rules for the Treatment of Prisoners.
22. It is understood that some work may be under way with Penal Reform International engaging with the Yemeni Ministry of Interior on training, opening a training center in Sana'a in March 2013, and beginning support for courses on human rights and basic prison management with the aim of rolling out to all prison officers over the next five years. See Penal Reform International, "Working Towards Fair and Effective Criminal Justice: The PRI Way," Annual Report 2013, www.penalreform.org/resource/pri-annual-report-2013.
23. Nasser Al-Sakkaf, "Ibb Prison Suicide Highlights Poor Prison Conditions," *Yemen Times*, April 8, 2014, www.yementimes.com/en/1770/news/3696/Ibb-prison-suicide-highlights-poor-prison-conditions.htm.
24. Recent escapes in Amran include reports of a full escape in early July 2014 and a partial escape in June 2014. See Nasser Al-Sakkaf, "Air Force Bombs Targets in Amran," *Yemen Times*, June 5, 2014, www.yementimes.com/en/1787/news/3934/Air-force-bombs-targets-in-Amran.htm.
25. Articles 33–34, Standard Minimum Rules for the Treatment of Prisoners.
26. ICRC, *Water, Sanitation, Hygiene and Habitat in Prisons: Supplementary Guidance*, July 2012, www.icrc.org/eng/resources/documents/publication/p4083.htm.
27. ICRC, "Water Sanitation Hygiene and Habitat in Prisons," February 2013; "Supplementary Guidance."
28. Articles 27 and 32(1), Standard Minimum Rules for the Treatment of Prisoners.
29. Article 32(1), Standard Minimum Rules for the Treatment of Prisoners.
30. Additional bathrooms have now been added but are still inadequate given sustained overcrowding.
31. Article 10, Standard Minimum Rules for the Treatment of Prisoners.
32. These facilities include police stations, CID holding cells, and court holding cells, among others.
33. Erica Gaston with Nadwa al-Dawsari, "Justice in Transition in Yemen," USIP Peaceworks no. 99, September 2014.
34. Article 483, Yemeni Criminal Procedure Code.
35. Article 21, Standard Minimum Rules for the Treatment of Prisoners.
36. Chapter 4, Articles 12–22, Prison Act.
37. Articles 12–14, Standard Minimum Rules for the Treatment of Prisoners.
38. ICRC, "Supplementary Guidance."
39. See ICRC, *Water, Sanitation, Hygiene and Habitat in Prisons*, chapter 3.
40. Ibid.
41. Article 21, Standard Minimum Rules for the Treatment of Prisoners.
42. Articles 4(13) and 4(14), Prison Act Regulations.
43. ICRC, *Water, Sanitation, Hygiene and Habitat in Prisons*, 24–25.
44. ICRC, "Supplementary Guidance," 45.
45. Principle 9, United Nations Principles for the Treatment of Prisoners; and Principle 1, United Nations Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment.
46. Article 22–26, Standard Minimum Rules for the Treatment of Prisoners.
47. Ibid.
48. International Centre for Prison Studies, "Prison Health and Public Health: The Integration of Prison Health Services," April 2004, www.prisonstudies.org/sites/prisonstudies.org/files/resources/downloads/health_service_integration.pdf.
49. World Health Organization Europe, "Declaration on Prison Health as Part of Public Health," adopted in Moscow on 24 October 2003.
50. Articles 37 and 93, Standard Minimum Rules for the Treatment of Prisoners.
51. Article 30, Prison Act.
52. Article 31, Prison Act.
53. Article 63, Prison Act Regulations.
54. Article 73, Prison Act Regulations.
55. Article 31, Prison Act; Article 81, Prison Act Regulations.
56. ICRC, "Supplementary Guidance," 17.
57. See "Conjugal Visits: No Laughing Matter," *The Economist*, November 2, 2013, www.economist.com/news/international/21588887-prisons-increasingly-allow-conjugal-visits-not-britain-and-america-no-laughing.

58. Also known as the Bangkok Rules, see *United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders*, www.un.org/en/ecosoc/docs/2010/res%202010-16.pdf.
59. See Marie-Christine Heinze and Sarah Ahmed, "Integrating Women's Security Interests into Police Reform in Yemen: Some Suggestions for Structural Reform," Yemen Polling Center, June 2013.
60. Articles 27–29, Prison Act.
61. See "New Video From Yemen Explores Women's Role in The Security Sector," Saferworld, June 23, 2014, www.saferworld.org.uk/news-and-views/news-article/656-new-video-from-yemen-explores-womenas-role-in-the-security-sector-.
62. Article 26, Prison Act.
63. For Yemen's UNHR ratification status, see http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=193&Lang=EN.
64. Also known as the Beijing Rules, see "United Nations Standard Minimum Rules for the Administration of Juvenile Justice," Document no. A/RES/40/33, November 29, 1985, www.un.org/documents/ga/res/40/a40r033.htm.
65. See "United Nations Rules for the Protection of Juveniles Deprived of Their Liberty," Document no. A/RES/45/113, December 14, 1990, www.un.org/documents/ga/res/45/a45r113.htm.

Appendix A. Data Overview

Table A1. Penitentiary Authority Prison Data Summary

Prison	Total	Capacity	Sentenced	Pre-Trial	Women	Infants	Juveniles	Foreign	Staff
Sana'a									
Sana'a Central	2,326 ^b	1200	1,235	545	76	12	69+8F	33	550
Al-Mu'allim Remand	315	176	24	291	-	-	10	13	43
Al-Habrah Remand	250	300	0	250	-	-	15	-	35
Alaya Remand	330	100	— ^c	330	-	-	7 ^c	47	47
Al-Thawrah Remand	170	300	3	167	-	-	7	8	36
Aden Central	723 ^b	400	214	436	17	4	13+1F ^c	60	100
Taiz Central	1,577 ^b	750	492	901 ^a	48	3	32	12 ^a	300 ^a
Hodeida Central	951 ^b	350	418	374	30	10	31 ^a	22	141
Hodeida Remand	201	200	15	186	-	-	9	3	51
Ibb Central	1,235	800	746	489	25	16	27	1	130
Ibb Remand	300	250	60 ^a	240 ^a	-	-	40	-	20
Mukalla Central	483	300	160 ^a	280 ^a	7	-	2	61	191
Sayun Central	87	120	60	27	-	-	1	4	105

^a Estimate—precise numbers not provided.

^b Numbers provided from records but do not add up.

^c Reported figures differ from observed.

F=Females

Appendix B. Facility Visit Data

Sana'a Central

Built in 1970s as a prison. Large perimeter wall. Separate areas for male, female, juvenile, and mentally ill detainees. Numerous gated perimeter areas. Structure lacks modernization and security resources. Little natural light in corridor areas. Electricity access inconsistent. Outdoor space poorly utilized. Considered one of the most secure facilities. Numerous security vulnerabilities. No capacity to hold and segregate detainees.

Prison data

- Total population—2,326
- Capacity—1,200
- Men—2,181
- Women—76 (8 juveniles)
- Juveniles—69
- Mentally ill—95
- Sentenced—1,235
- Not sentenced—545
- Foreign total—33
- Foreign nationalities—Somali, Ethiopian, Jordanian, Pakistani, Iranian, Egyptian
- Composition—Mixed, criminal, terror suspects, pre-trial, and sentenced
- Classification—By cell within blocks. Overcrowding and inadequate infrastructure. No capacity to properly classify and segregate.

Medical care

- Clinic in a building adjacent to women's prison. Not open on either visit. Not fully observed. Smaller clinic areas within male and female blocks for minor complaints.
- Common female health issues include gynecological problems and infections, chest infections, allergies.
- Medical needs greatly surpass care. Supplies lacking.

Internal and external security

- *General concerns.* Numerous major breakouts and escapes. Director aware of vulnerabilities, has sent Prison Authority and MOI a detailed list of requests: electronic doors, security arcs and wands, surveillance cameras, reinforced perimeter wall, concrete blockades, observation towers, sealed flooring for yard areas, riot gear; stun guns, jamming equipment for cell phones, security siren/alarms, water canons, prisoner uniforms.
- *Escapes.* 2001, 7; 2002, 1 (U.S. citizen); 2009, 2; 2013, 29 (al-Qaeda).
- *External incursions.* 2013 escape involved blast and firefight on perimeter wall.
- *Internal issues.* 2011 riot, registry office burned, troops deployed. Members of terrorist organizations within prisons provoke conflict, recruit, pass information in and out, use prisoner informants.
- *Isolation cell and policy.* Officially, staff raise issues and director gives orders; in practice, decisions made by officer in charge. Most held two to three days.

Cell and detention area observations

- *Male.* Large area within a secondary perimeter and gate. Two recreation yards, one with a comprehensive library. Cells large, approximately 8 by 20 meters. Many overcrowded, as many as forty inmates, cement bunk beds, floor mattresses. Most have internal bathrooms with two toilets and two taps, many broken. Hygiene subpar. Ventilation poor. Cleaning routine not uniform. All areas could not be observed. Guards beyond prison control, reluctant to allow access. Team forced to withdraw after seeing only a few cells.
- *Female.* Separate area with internal walled perimeter. Construction rubble at perimeter gate a security and egress hazard. Two yard areas, one with old playground equipment, only one in use. Includes classrooms, sewing, workshop areas. No remand prison. Two female security staff on 24-hour shifts, four educational staff, two social workers. Routine involves rising at 9 am, cleaning, attending class, receiving visitors (more than twenty never have), spending time in open areas, cells closing about 10 pm. No bathrooms in cells. Small kitchen available. Cell areas near capacity and insufficiently resourced. Bathrooms narrow and quite small. Doctor visits twice weekly. Detainees and staff complain of insufficient diapers, formula, water filters and heaters, clothes and shoes for infants. Local NGO assistance does not cover needs.
- *Juvenile.* Separate block. Area includes library, small workshop, game room, TV room, and prayer area. No dedicated outdoor area. Occasional use of soccer pitch and volleyball court. Capacity for ninety but insufficient bedding. Cells approximately 4 by 7 meters. Somewhat overcrowded: ten per cell in bunk beds. Some personal possessions allowed. Cells relatively cluttered but clean. Inability to classify and segregate juveniles. Positive strides in education and recreation: vocational training, sport, university coursework, culture evenings, art, Quran study.
- *Mentally ill.* Separate gated area: a long cell on one side and parallel outdoor space with grass area. Established in 1985 with assistance from ICRC. Equipped to treat only mild cases. Assistance provided by Ministry of Health, falls under Prisons Authority. Adult males only. Females housed and treated in women's prison. One psychiatrist, eleven nurses, one visiting anesthetist for administering ECT. Seventeen guards, 24-hour shifts. Medication supply ample. Detainees heavily sedated. Separate kitchen and dining room area unclean. Food from main kitchen. Barber shop.
- *Isolation cell and policy.* A black hole with no natural light, bricked-up windows, extremely poorly ventilation, no hygiene. Approximately 2.5 by 2.5 meters, housing at least six men, no bedding. One foul-smelling toilet. Used for troublemakers. Officer-in-charge decides who is put in. Second barely lit, crowded isolation cell 4 by 4 meters holds "homosexuals." Conditions extremely poor, bordering on inhumane. Poor key control, raising concerns for inmate safety.
- *Outdoor and recreation areas.* Each area save juvenile offers outdoor space and generous time outdoors. A school, library, workshops, volleyball, soccer.
- *Kitchen.* Not observed. Neither lack of food nor quality issues arose in discussions with staff and prisoners. Compound includes a bakery.
- *Staff.* Most guard staff in uniform. Weapons left outside blocks. Guards do not have full control over male prison area. Stress and psychological strain evident.

Al Mu'allim Branch/Remand Prison, Sana'a

Built in 2000 as a detention facility, under renovation. Same multifloor design as other prisons in Sana'a. Within compound little bigger than prison building, no additional outdoor space, surrounded by residential and commercial buildings. Renovation intended to upgrade conditions: water coolers with filters, water heaters, showers, painting, and inmate accommodation. Entrance steps and internal stairways broken and strewn with rubble.

Prison data

- Total population—315
- Capacity—176 (target 276 after renovation)
- Men—305
- Women—0
- Juveniles—10
- Mentally ill—0
- Sentenced—24
- Not sentenced—291
- Foreign total—13
- Foreign nationalities—Somali, Egyptian, Sudanese
- Composition—Mixed, mostly criminal
- Classification—By cell, separating previous offenders, new offenders, and juveniles. Detainees move freely and mix during the day.

Medical care

- Basic first aid clinic available through assistance from ICRC. Small one-room clinic with dispensary. No medical staff present during visit. Full-time medical staff promised but not yet assigned. Small batches of expired medication, including calamine lotion. Detainee doctor currently assisting with medical care.
- Common medical conditions include chest pain, fever, colds, headache, abdominal pain. Records book mainly listed symptoms—not observed at other locations.
- Contract with al-Thawrah hospital, prisoners transferred for free treatment.
- Clinic new and transitional. Insufficient supplies. Expired medication observed.

Internal and external security

- *General concerns.* Some vulnerability due to design and proximity to community.
- *Escapes.* NA
- *External incursions.* NA
- *Internal issues.* NA
- *Isolation cell and policy.* In basement area. Used primarily for storage. Director decision.

Cell and detention area observations

- *Male.* Renovated cells bright and airy, good ventilation, windows and ceiling fans, clean bathrooms. Approximately 5 by 8 meters, some twenty to twenty-five mattresses on floor. Hygiene issues in unrenovated cells, conditions cramped. Narrow staircases under repair and hazardous. Basement area chaotic and beyond staff control. Detainees keen to report delays with their cases. Concerns over food, water, and telephone access. Key control in hands of “prisoners in charge.”

- *Female.* NA
- *Juvenile.* Separate cell at night. Mix freely with other detainees during the day. Approximately 8 by 5 meters, ten per cell, mattresses on floor. Cell and bathroom less clean than others at facility. One at facility a full year, soon to be released.
- *Mentally ill.* NA
- *Isolation cell and policy.* Small area in basement. Not in use during visit.
- *Outdoor and recreation areas.* Small tiled basement courtyard approximately 8 by 10 meters. Roof area under repair, extending wall height. Overcrowded. No other activities provided for.
- *Kitchen.* Small building within compound. Relatively clean but cramped and old. New refrigerator needed.
- *Staff.* Little consistency in uniforms. Staff mostly outside cell areas. Prison appears to be run by nominated prisoners.

Alaya Branch/Remand Prison, Sana'a

Built in 2004 as a prison, under renovation. Same multifloor design as other prisons in Sana'a. Information in initial interview differed from walk-through observations.

Prison data

- Total population—330
- Capacity—100
- Men—323
- Women—0
- Juveniles—7 reported, 30 observed
- Mentally ill—0
- Sentenced—0 reported, 6 observed
- Not sentenced—330
- Foreign total—47
- Foreign nationalities—Sudanese, Somali, Ethiopian, Palestinian
- Composition—Mixed, mostly criminal
- Classification—By cell, separating previous offenders, new offenders, and juveniles. Detainees can move freely and mix during the day.

Medical care

- Basic first aid clinic available through assistance from ICRC. One-room clinic with dispensary. Medication supply good, some expired.
- Timetable for medical staff. No attendant doctor or nurse. Detainee doctor assists.
- Common medical conditions include scabies, dysentery, UTI's, bronchitis, chest infections, flu, constipation, eye infections, heart problems, diabetes, epilepsy, drug withdrawal, and psychological problems, including depression and hypertension.
- Can transfer to local hospital.
- More specialist medication needed. Some chronic health issues. Expired medication observed.

Internal and external security

- *General concerns.* NA
- *Escapes.* NA
- *External incursions.* NA
- *Internal issues.* NA
- *Isolation cell and policy.* NA

Cell and detention area observations

- *Male.* Three floors. Narrow staircases. Main entrance crowded. Detainees and visitors communicate through grills in entrance area. Most cells approximately 5 by 8 meters. Severely overcrowded. Accommodate thirty-five to fifty-four detainees each. Mattresses on floor. Areas under repair bright and clean. Some window bars not properly secured. Cell toilet areas backed up. Consistent sewage issues. Key control in hands of “prisoners in charge.”
- *Female.* NA
- *Juveniles.* Held in a separate cell but mix freely with other detainees during the day. As young as fourteen. Far more observed than reported.
- *Mentally ill.* NA
- *Isolation cell and policy.* Small basement area. Primarily used for entry screening but occasionally as short holding areas.
- *Outdoor and recreation areas.* Small tiled basement courtyard approximately 8 by 10 meters. Roof area under repair, extending wall height, for additional outdoor space.
- *Kitchen.* Small building adjacent within compound. Relatively clean. Food cooked for lunch during visit.
- *Staff.* Guards both uniformed (perimeter) and not uniformed.

Al-Thawrah Branch/Remand Prison, Sana’a

Built in 2000 as a prison, slated for renovation. Same multifloor design as other prisons in Sana’a. No potential for additional outdoor space. Significantly calmer, more under control, and less crowded than other facilities.

Prison data

- Total population—170
- Capacity—300
- Men—163
- Women—0
- Juveniles—7
- Mentally ill—0
- Sentenced—3
- Not sentenced—167
- Foreign total—8
- Foreign nationalities—Ethiopian, Portuguese, Somali
- Composition—Mixed, mostly criminal

- Classification—By cell, separating older detainees, juveniles, repeat offenders, assault cases, theft, fraud, drinking, and commercial cases—debt. Detainees can move freely and mix during the day.

Medical care

- Health unit assigned but not yet stocked or in use.
- Common medical conditions include stomach infections. Little information available.
- Transfer to hospital necessary due to lack of medical staff. Reduces staff numbers because guards must stay with detainee. Too few vehicles.
- More specialist medication needed. Expired medication observed.

Internal and external security

- *General concerns.* Violent or dangerous detainees transferred immediately to Sana'a Central.
- *Escapes.* NA
- *External incursions.* NA
- *Internal issues.* NA
- *Isolation cell and policy.* Used as storage and office

Cell and detention area observations

- *Male.* Three floors. Narrow staircases. Most cells approximately 5 by 8 meters. Accommodate fifteen to twenty-two, mattresses on floor or bunks. Significantly less crowded, cleaner, calmer, and more orderly than other facilities. Detainees observed reading, playing cards, etc. Some held for commercial crimes observed as older, some requiring specialist medical care. Key control handled by staff.
- *Female.* NA
- *Juvenile.* Held in separate cells.
- *Mentally ill.* NA
- *Isolation cell and policy.* Small basement area. Used as office and storage.
- *Outdoor and recreation areas.* Small tiled basement courtyard approximately 8 by 10 meters. Outdoor space insufficient.
- *Kitchen.* Small building within compound. Relatively clean.
- *Staff.* Guards both uniformed and not uniformed. Significantly more in control of cell areas, held keys, and both familiar with and respectful of prisoners.

Al-Habrah Branch/Remand Prison, Sana'a

Built in 2000, under renovation. Same multifloor design as other prisons in Sana'a but slightly bigger.

Prison data

- Total population—250
- Capacity—300
- Men—235
- Women—NA
- Juveniles—15

- Mentally ill—NA
- Sentenced—0
- Not sentenced—250
- Total foreign prisoners—Varies
- Nationalities of foreign inmates—Sometimes Somalis
- Composition—Mixed, mostly criminal
- Classification—By cell, mostly separating previous offenders, new offenders, and juveniles. Detainees can move freely and mix during the day.

Medical care

- Basic first aid clinic now available through assistance from ICRC. Small one-room clinic with dispensary. Doctor, currently a volunteer, not present during visit. Some expired medication observed, including calamine lotion.
- Common medical conditions include cold, flu, headache, stomach problems. TB and skin and eye infections rare.
- Transfers to Al-Thawrah hospital for free treatment. One vehicle.
- Clinic new and in transition. Insufficient supplies. Expired medication observed.

Internal and external security

- *General concerns.* Staff sensitive to 2013 al-Qaeda attack at Sana'a Central, asking for cement roadblocks and reinforced security.
- *Escapes.* NA
- *External incursions.* NA
- *Internal issues.* Few strikes but numerous fights. ICRC prevents violent restraint.
- *Isolation cell and policy.* Rarely used, mostly for sexual assault cases or attempted suicide. Director decision. Duration usually ten to fifteen minutes.

Cell and detention area observations

- *Male.* Cells spread over three floors. Small tiled basement courtyard. Narrow staircases. Main entrance crowded. Detainees and visitors communicate through grills in entrance area. Atmosphere chaotic. Stairways and corridors crowded. Most cells approximately 5 by 8 meters. Accommodate twenty-five to thirty detainees each. Floor mattresses. Some cells empty, under repair, broken bunk beds. Part of basement locked, under repair, not in use. Cell toilets backed up. Consistent sewage issues. Sewage observed leaking from external pipes. Key control in hands of “prisoners in charge.”
- *Female.* NA
- *Juveniles.* Held in separate cell. Mix freely with other detainees during the day. Cell clean, with TV, freshly painted.
- *Mentally ill.* NA
- *Isolation cell and policy.* Small basement area. Three held for fighting.
- *Outdoor and recreation areas.* Small tiled basement courtyard approximately 8 by 10 meters. Trash piled in corner. Roof area under repair, extending wall height, for additional outdoor space.
- *Kitchen.* Small building within compound. Clean and orderly. One staff member assists with meals.
- *Staff.* Most guard staff in uniform.

Taiz Central

Built as rehabilitation and vocational training center. Requires at minimum major renovation, ideally new facility. Serious overcrowding. Many detainees, at least three hundred, held for failure to pay fines.

Prison data

- Total population—1,577
- Capacity—750
- Men—1,465
- Women—48
- Juveniles—32
- Mentally ill—32
- Sentenced—492
- Not sentenced—901
- Foreign total—100
- Foreign nationalities—Mostly African, Somali and Ethiopian
- Composition—Mixed, criminal, both pre-trial and sentenced, some immigration. Terror suspects sent to Sana'a Central.
- Classification—Minimal system not properly implemented due to overcrowding. In theory, separated by crime and a separate cellblock for “dangerous criminals.” In practice, not implemented.

Medical care

- Small medical clinic with neither consistent resources nor necessary scope. Examination room, medical supply closet, bathroom, recovery room, and minor operation room. Relatively clean, well ventilated, well lit. Women treated within their facility. Doctor and nurse report twenty to forty daily requests for medical treatment and regular monthly or biweekly rounds.
- Common medical conditions include skin infections, including rampant scabies, chest infections, stomach problems, and TB.
- More serious cases transferred to hospital. Transfers sometimes difficult or substandard care.
- Supplies and medications not consistently provided. Provision of care inadequate.

Internal and external security

- *General concerns.* Facility beyond staff control. Since 2012 escape, access and internal security improved and facility access more regular. Guards vigilant in removing weapons from staff or visitors before entry. Perimeter security weak
- *Escapes.* 2012—9 escaped, 8 returned.
- *External incursions.* 0
- *Internal issues.* Before 2012 escape, staff access to facility nearly impossible.
- *Isolation cell and policy.* Under construction. Mentally ill section sometimes used as punishment.

Cell and detention area observations

- *Male.* Two wards. Cells extremely overcrowded. Bunk beds and floor mattresses. Bedding extended to corridors in main cell block. Corridor lighting dark. Personal items on display in most cells. Blankets used to create personal space. Number of toilets increased but still insufficient.
- *Female.* Free-standing, separate area with perimeter gate and bright courtyard. Cells clean. Good natural light and ventilation. Possibly insufficient artificial light. Bunk beds. Toilet areas in poor condition and unhygienic. Inadequate bathing facilities. In theory, classified by crime. In practice, detainees intermingle. Sewing room with machines, but most equipment broken for five years.
- *Juvenile.* Held in single-cell separate block. Ventilation and natural light good. One small light bulb for evening. Overcrowded. Eye and skin conditions common. Newly carpeted. Floor mattresses. Toilets functional but unhygienic. No washing facilities. Funds requested.
- *Mentally ill.* Separate small facility. Small staff. Area not fully under control. At least twenty prisoners observed banging compound gate and begging to be released. Guards indicated fear and stress. Visiting physician reported limited access. Medication available but not tailored to needs. Few inmates properly diagnosed, merely assigned. No segregation or classification. High incidence of assault and aggression, both physical and sexual.
- *Isolation cell and policy.* Under construction.
- *Outdoor and recreation areas.* Space within each ward save juvenile exposed to sunlight and fresh air. Access generally free throughout the day. School, library, workshops, volleyball, soccer.
- *Kitchen.* Not observed. Reportedly dilapidated.
- *Staff.* Most in uniform. Weapons left outside blocks. Sometimes overfriendly. Do not have full control. Stress evident.

Aden Central Prison "Mansoorah"

Built in 1962, final days of colonial rule. Built-up urban area. Security increasingly difficult. Large perimeter wall but numerous escapes. New facility frozen by government. Cells large. Barred open windows and fans help air circulate. Generally hot climate. Well-known carpentry workshop, basketball courts, and outdoor areas. Funding cuts and security concerns halted recreation. Inmates confined to cell blocks. Staff in cell blocks with firearms.

Prison data

- Total population—723
- Capacity—400
- Men—706
- Women—17 (1 juvenile)
- Juveniles—0 reported, 13 observed
- Mentally ill—Not known
- Sentenced—214
- Not sentenced—436
- Foreign total—60 (3 female)

- Foreign nationalities—Somalia, Ethiopia, Cameroon, Thailand
- Composition—Mixed, criminal, terror, pre-trial, sentenced
- Classification—By block, within blocks observed

Medical care

- Clinic block housed with small rooms for care and storage. Equipment old. Medication insufficient. Patients often pay for medication to be sent from outside. No regular doctor or nurses employed. Small, crowded ward with trolleys and floor mattresses. Inadequate conditions. Expired medication observed.
- Common medical conditions include scabies, mental illness, psychological stress, hypertension, bone fractures from fights, gunshots, hemorrhoids, hernias. Respiratory issues, stomach problems, infections due to sewage problems.
- Hospital transfers limited. Two nearly unusable vehicles.
- Medication and supply budget quite small, approximately \$400 per month.

Internal and external security

- *General concerns.* Numerous. Guards reluctant to enter cellblocks. Perimeter walls dilapidated. No proper watch towers. Threats from al-Qaeda and others. Poor lighting. Fortification for walls, watchtowers, cement barriers requested, not received.
- *Escapes.* Numerous.
- *External incursions.* Grenades thrown in.
- *Internal issues.* Fights common.
- *Isolation cell and policy.* Policy unclear. Visit not allowed.

Cell and detention area observations

- *Male.* Four long large cells around small central open air yard. Cells approximately 7 by 20 meters. Forty-plus per cell. Floor mattresses. Cells, courtyards, bathrooms unclean and untidy. Toilets overflowing. Staff fearful in cellblocks. Some carried firearms. Research team allowed to enter only two blocks.
- *Female.* Separated by small perimeter wall and narrow tunnel entrance from male area. Considerably cleaner and brighter. Beds, bedding, activity rooms, sewing workshop, computer room, classrooms. Red Crescent social workers visit twice weekly. NGOs assist with resources. Male staff enter section without warning and carrying weapons. International support for educational programs and workshops in decline. Pregnant and nursing women lack specialist medical care and supplies. Large uncovered sewer in courtyard.
- *Juvenile.* No perimeter wall or gate. Floor mattresses provided by family. Mosquito nets provided by a wealthy sheikh and foosball table by a human rights organization. Cell untidy. Toilets overflowing and dirty. Small outdoor space but unclear whether use is permitted.
- *Mentally ill.* Small block with no perimeter wall. Team not allowed to enter. Conditions chaotic and beyond staff control. Facility dilapidated. Formerly attended regularly by psychiatrists. No longer transferred to psychiatric hospital/clinic. Some outdoor access. No designated outdoor area observed. Unclear whether detainees were allowed to wander freely in main prison compound.
- *Isolation cell and policy.* Violent criminals reportedly kept there. Team visit not permitted.

- *Outdoor and recreation areas.* Large compound but few recreation opportunities since carpentry workshop closure. Access to sunlight in courtyard. Basketball courts not in use.
- *Kitchen.* Appeared clean. No modern equipment. Inmates involved in cooking meals.
- *Staff.* Many out of uniform. Some unfamiliar with facility and fearful of inmates.

Hodeida Central Prison

Built circa 1975–80 as a school. Large walled compound with guard towers. Half-built new prison within the compound. No exercise area or outdoor space. Electrical problems, exposed wiring, electrical shorts and fires commonplace. Electrical problems. Heavily littered and disorderly. Sewage issues.

Prison data

- Total population—951
- Capacity—350
- Men—889
- Women—30, plus 10 children
- Juveniles—31 (counted as men)
- Mentally ill—32
- Sentenced—418
- Not sentenced—374
- Foreign total—20 male, 2 female
- Foreign nationalities—Ethiopian, Sudanese, Eritrean, Nigerian, Turkish
- Composition—Criminal and illegal entry
- Classification—By cell, prisoners mix in central covered yard

Medical care

- Medical clinic minimally stocked and understaffed.
- Common medical conditions include scabies, hemorrhoids, diabetes, hypertension, kidney issues.
- Ill detainees transferred. Insufficient funds.
- Small pharmacy with limited Ministry of Health supplies supplemented by local donors.

Internal and external security

- *General concerns.* Perimeter security insufficient. Fights and injuries common inside prison.
- *Escapes.* One from nearby temporary detention center.
- *External incursions.* None. Orders for high alert.
- *Internal issues.* A few riots. Frequent organized protests, including hunger strikes, for lack of response on cases, sentencing, family failure to visit.
- *Isolation cell and policy.* Even isolation cells overcrowded. Placement for simple misbehavior. Director decision. Duration at most two weeks, normally less than a day. Visit not permitted.

Cell and detention area observations

- *Male.* Large warehouse-style building. Cells on external walls, range from 4 by 25 meters to 4 by 15, most with toilet, taps, shower. Large central communal area beyond staff control. No access to sunlight. Numerous private markets. Kitchen with gas burners. Numerous personal ovens and burners in cells. Block chaotic, messy, infrequently cleaned. Approximately fifty-two per cell. Metal bunk beds and floor mattresses. Sightlines broken by fabric privacy walls. Structural damage to cell walls and roof. Exposed electrical wires. No clean filtered water. Some loose classification in cells for sleeping but mixing in communal area.
- *Female.* Secure separate unit within the main compound. Cells around exterior wall. Central open-air tiled patio. Communal cells, range from approximately 5 by 10 meters to 4 by 8. Floor mattresses and beds. Bathrooms communal and outside cells. Some hygiene concerns.
- *Juvenile.* No separate facility. One 5 by 8 meter cell in a corner of men's facility, adjacent to moral crimes section. Floor mattresses only. No access to sunlight or recreation.
- *Mentally ill.* Separate walled facility at rear of compound. Large communal cells around a small bright garden area. Classified by seriousness of condition and level of aggression. Staffed with specialist psychiatrist and medical technician. No ECT administered. Limited specialist drug supply. Separate kitchen and eating area. Conditions unhygienic. Relatively clean communal bathroom.
- *Isolation cell and policy.* Not visited.
- *Outdoor and recreation areas.* No outdoor area. Schooling in improvised spaces. One outdoor cement workshop. A sewing area.
- *Kitchen.* Disorderly and unclean. Cooking pots old, refrigerator not functional. Cockroaches and other insects. Open blocked sewers. Bedding stored beside vegetable preparation area.
- *Staff.* Most in uniform. Insufficient in numbers and skills. Reluctant to permit visit. Some rough handling of detainees.

Hodeida Branch/Remand Prison, Hodeida

Built as school. Adjacent to central prison. Separate perimeter wall and entrance. Little recreation or outdoor space save for small tiled internal courtyard. Nonetheless, better control and familiarity with prison and prisoner concerns than at many facilities.

Prison data

- Total population—201
- Capacity—200
- Men—192
- Women—0
- Juveniles—9
- Mentally ill—0
- Sentenced—15
- Not sentenced—186
- Foreign total—3

- Foreign nationalities—Egyptian
- Composition —Mixed, mostly criminal, three immigration
- Classification—By cell, but detainees mix freely during the day.

Medical care

- Basic clinic. Almost no equipment. Extremely low supplies of medication.
- Common medical conditions include skin infections, malaria, fever, stomach infections.
- No ambulance available for hospital transfers.
- Medications and supplies limited to painkillers and basic drugs.

Internal and external security

- *General concerns.* Building needs serious upgrade to address security concerns. Major sewage leak. One perimeter wall weakened and may collapse.
- *Escapes.* 1
- *External incursions.* 0
- *Internal issues.* Detainee strikes in 2013 that spread from central prison.
- *Isolation cell and policy.* None.

Cell and detention area observations

- *Male.* Four cells around a square, a small tiled central courtyard open to the sun. Approximately 5 by 10 meters each. Accommodate approximately fifty per cell. Three tiered bunks, many without mattresses. Overcrowded. Toilets filthy, many without doors. Many taps broken. Limited washing water. Small prison shop. Ventilation from ceiling fans adequate.
- *Female.* NA
- *Juveniles.* No dedicated area. Housed in courtyard to avoid sexual assault.
- *Mentally ill.* NA
- *Isolation cell and policy.* None
- *Outdoor and recreation areas.* One small tiled courtyard with grilled roof. Some books and copies of Quran.
- *Kitchen.* Old but reasonably well ventilated and clean. Refrigerator working poorly. Cool, dry, dark pantry and food storage area.
- *Staff.* Most in uniform. Better inmate and key control than at other facilities.

Ibb Central Prison

Built in 1980s as a prison. Large walled compound, five guard towers. Walls crumbling, in need of repair. Sewage leaking under them.

Prison data

- Total population—1,235
- Capacity—800
- Women—25, plus 16 children
- Juveniles—27
- Sentenced—745
- Not sentenced—489

- Foreign total—1
- Foreign nationalities—Ethiopian
- Composition—Criminal except terrorism (transferred to Sana'a Central)
- Classification—None

Medical care

- Clinic present.
- Drugs generally not expired but some near expiry.
- Rusted, unclean, surgery tools. Insufficient medicine supply. Appliances and equipment needed.
- Common medical conditions include diabetes, hypertension, fever, flues, headaches, and heart disease. Some scabies and TB.
- Hospital transfers frequent, at least seven daily, to al-Thawrah Public Hospital. Some to Sana'a on PO approval.
- Extremely low medication and supplies.

Internal and external security

- *General concerns.* Prison insecure. Old stone walls in danger of falling. Window fences easily cut. No security staff to guard prisoners during hospital transfers.
- *Escapes.* One in 2005 within compound.
- *External incursions.* None
- *Internal issues.* Strikes by those with outstanding fees. Fire set by prisoner to be executed.
- *Isolation cell and policy.* Prisoners responsible for 2013 fire put in isolation.

Cell and detention area observations

- *Male.* Block One divided into ground floor and basement. First floor cells approximately 5 by 5 meters. Small sunbathing area where leftover bread is dried and sold as food for livestock. Common area generally unclean. Four communal bathrooms each with six toilets and four taps. No shower taps. Bathrooms generally dirty. Signs of blockages in toilets. Taps often broken or leaking. One cell in basement, houses 320 prisoners. Large but crowded. Insufficient ventilation and light. No usable bathrooms. Block Two a large room rented by prisoners as kitchen.
- *Female.* Separate block of three cells, bathroom, small prayer room, classroom, and sewing workshop surrounding central outdoor area. Eight prisoners per approximately 6 by 6 meter cell. Exposed electric wires in cells. Good ventilation through windows in cells. Two gas burners in hallway outside cells. One bathroom with five toilets, four sinks, and four taps, one broken. Bathroom somewhat clean but needs repair. Workshop with nine not fully functional sewing machines. Bunk beds and clothes cupboard in cells.
- *Juvenile.* No separate block.
- *Mentally ill.* Small enclosed outdoor area surrounded by cells and another outdoor area. Two dark communal bathrooms without doors. Each cell about 4 by 10 meters, housing about eight prisoners. Mattresses torn, bed frames in poor condition. Food served in unhygienic pans and exposed to air and flies. Twelve iron bed frames, most without mattresses, in one cell. No blankets observed.
- *Isolation cell and policy.* Prisoners who set 2013 fire in isolation cells. Visit not permitted.

- *Outdoor and recreation areas.* Enclosed outdoor area in each block too small for number of prisoners.
- *Kitchen.* Unclean, possibly because food just served. Several medium-sized ovens and one large baking oven. Large walk-in refrigerator. Staffed by prisoners.
- *Staff.* In uniform. Weapons left outside blocks. Guards barely in control, did not hesitate to hit prisoners with sticks.

Ibb Remand/Branch Prison

Built in 2005 as a temporary prison. Exterior walls without guard towers. New building within compound under construction. No exercise area or outdoor space. No power generator. Public power intermittent. Sewage problems. Compound disordered and unclean.

Prison data

- Total population—300
- Capacity—250
- Men—294
- Women—0
- Juveniles—6
- Mentally ill—0
- Sentenced—60 to 65 (no records)
- Not sentenced—240
- Foreign total—0
- Foreign nationalities—NA
- Composition—Criminal except terrorism
- Classification—By cell, loose. Mixed in central uncovered yard area.

Medical care

- No medical clinic. Medication is provided by families.
- Common medical conditions include scabies, diabetes, fever, and kidney issues.
- Hospital transfer the treatment. Shortage of funds and vehicles.
- No medical supplies provided. Some brought by families. Guards dispense medication.

Internal and external security

- *General concerns.* Wall short. No guard towers. Insecure. Perimeter security insufficient. Armed specialist units needed. Four exterior guards.
- *Escapes.* 0
- *External incursions.* 0
- *Internal issues.* None. Atmosphere agitated and loud.
- *Isolation cell and policy.* Two cells used as ordinary cells because of overcrowding. Dangerous prisoners reportedly isolated, but not observed.

Cell and detention area observations

- *Male.* Two-floor building. Cells on external walls. Small communal area in center includes stairs to second floor and access to natural light. Crowded. Eight cells house approximately thirty-eight prisoners each. Central area and cells chaotic, messy, and

not frequently cleaned. Cells communal, approximately 4 by 25 meters to 4 by 15, each with three toilets, two taps, and one shower (often broken). Communal bathrooms with four toilets and several taps, relatively clean. Floor mattresses. Privacy fabrics do not break sightlines. Electrical wiring dangerous and exposed. No clean filtered water. Kitchen with two gas burners operational within cell area.

- *Female.* NA
- *Juvenile.* No separate block. Mixed with forty others in cell approximately 4 by 12 meters
- *Mentally ill.* NA
- *Isolation cell and policy.* Visit not permitted. Area not under control.
- *Outdoor and recreation areas.* Small courtyard. Schooling in improvised spaces around compound. One outdoor cement workshop. Sewing area.
- *Kitchen.* Disorderly and unclean. Cooking pots old. Refrigerator not functional. Cockroaches and other insects. Open blocked sewers immediately outside kitchen. Bedding stored beside vegetable preparation area.
- *Staff.* Most in uniform. Team not escorted by staff.

Mukalla Central Prison

Not built as a prison, uncertain date. Four main buildings: administrative, women's (not secured and small); large remand block not well secured; large sentenced section not well secured.

Prison data

- Total population—483
- Capacity—300
- Women—7
- Juveniles—2
- Sentenced—160
- Not sentenced—280
- Foreign total—61
- Foreign nationalities—Kenyan, Somali
- Composition—Mixed, mostly criminal, one terrorism
- Classification—None

Medical care

- Medical clinic staff, one inmate who is not a physician.
- Common medical conditions include skin rashes, mental health issues, kidney issues, asthma, malaria, diabetes, blood pressure, and one HIV.
- No ambulance.
- Medical supplies improved under previous chief of Penitentiary Authority. Expired medicines observed.

Internal and external security

- *General concerns.* Vulnerability to potential shootings at the prison and terrorism.
- *Escapes.* 5 recent
- *External incursions.* 3
- *Internal issues.* Frequent. Tear gas used.

- *Isolation cell and policy.* Cells in place, no specific policy. Mentally ill frequently placed in isolation.

Cell and detention area observations

- *Male.* Cells approximately 6 by 7 meters, house eighteen to thirty-five prisoners each. Old floor mattresses. Cell walls dirty. Ropes available to hang washing. High windows. Three to four fans per cell. Some electric stoves and food (onion, potatoes, tomatoes, sugar, tea). Atmosphere tense. Bathroom areas filthy, infested with mosquitos, no doors. New doors provided, not yet installed. No showers. Taps leak. Yard area full of garbage and wastewater.
- *Female.* Held in one cell.
- *Juvenile.* Not fully observed.
- *Mentally ill.* Twelve living and sleeping in an open space, appeared distressed. Guards interacted aggressively.
- *Isolation cell and policy.* In use. Mentally ill man isolated for aggressive behavior. Police use of cell unclear, contradictory indications.
- *Outdoor and recreation areas.* Divided into prayer space with basin for washing. No recreation, education, or training workshops.
- *Kitchen.* Unclean. Cooking staff sleep and prepare food in same area. Hygiene exacerbated by cockroaches. Food quality complaints. Freezer not operational.
- *Staff.* One guard accompanied team, unarmed in cell areas. Some in uniform.

Central Prison of Sayun

Building not designed as a prison. Handed over to the Penitentiary Authority in 2001. Large but not well secured. Six large cells and one ward for isolation.

Prison data

- Total population—87
- Capacity—120
- Women—0
- Juveniles—1
- Sentenced—60
- Not sentenced—27
- Foreign total—4
- Foreign nationalities—Somali
- Composition—Terrorism suspects and criminal
- Classification—By type of crime, separate cell for murders, for robberies, debts, and alcohol consumption. Youth held with detainees for alcohol consumption.

Medical care

- No medical clinic. No medical beds. Sick treated in wards or duty officer's room.
- Common medical conditions include mental health issues, asthma, kidney issues, respiratory infections, stomach problems.
- No ambulance. Transfer to hospital by private vehicles or the Army.

- Medicine and supplies in short supply. Medicine stored at house of health assistant, who prescribes but not a qualified doctor.

Internal and external security

- *General concerns.* Terror attacks, car bombs.
- *Escapes.* 30 in 2013.
- *External incursions.* During 2013 uprising.
- *Internal issues.* None.
- *Isolation cell and policy.* Eight cells. Used by orders of PGOs or in cases of fights or system violations. Length of stay determined by instructions or commitments.

Cells

- *Male.* Cells large, housing about 18-35 inmates each on floor mattresses. Cells clean, good natural lighting and ventilation. Atmosphere calm. Guards cooperative, hold cell keys. Toilets clean, but toilets and taps damaged and need upgrade. No showers.
- *Female.* NA
- *Juvenile.* No juvenile section. Juveniles generally sent to Mukalla Prison, more than five hours away.
- *Mentally ill.* Held in open space around prison. Considered threat to themselves and other inmates. Guards interact infrequently.
- *Isolation cell and policy.* Used for mentally ill in “worsening condition.”
- *Outdoor and recreation areas.* Available from morning until midday Muslim prayers, again from 3 pm until 7 pm. No training workshops, school, library, or space for sports.
- *Kitchen.* Particularly clean, no insects, hygienic food storage. Pots old. Cook a contracted civilian assisted by prisoner who was a cook.
- *Staff.* Guards on good terms with inmates. Not in uniform. Carried arms during visit.

Appendix C. Detention Centers

Police Stations and Criminal Investigations Departments

Aden: Basateen Police Station

Dilapidated building and compound in low-income area in Aden with large immigrant population. No budget for prisoner care or provision of food and clean water. These sometimes provided by detainee families or local organizations. Few detainees, rarely stay long—three to four days maximum. Three 10 by 14 feet concrete cells at side of police compound. Conditions quite poor, little hygiene, poor ventilation. Cells covered in prisoner writing. Prisoners appeared distressed. New Sexual and Gender Based Violence unit and medical clinic. One cell for female detainees not yet staffed.

Aden Criminal Investigation Department Holding Cells

Access restricted and difficult to obtain. Despite permissions, team permitted access to only two cell blocks and ordered not to interact with detainees. Cells arranged in small blocks with numerous cells off corridor with roof of metal bars, used as outdoor space for access to sunlight. Housed sixteen adult male detainees. Uncertain whether any juveniles among them. Non-Yemenis occasionally detained but none present. Female block reportedly closed, all female detainees sent directly to central prison. Cell areas observed as in very poor condition. Filthy toilet areas, bad ventilation, cramped cells. Bars removed from one corridor roof because of suicide. Staff unwilling to answer questions about conditions. Noted that pre-trial temporary detention center needed.

Kormakser Police Station

Visit not permitted. Capacity reportedly twenty. Eight present, no women, no juveniles. Greatest concern the lack of transport vehicles.

Soloban Police Station

Police station, clinic and holding cells within a compound on outskirts of town. One cell in very poor condition—filthy, insecure, littered—but empty. Detainees rare, maximum 24 hour stay. No food or water provided.

Tawahi Police Station

Building dates to colonial period. Few signs of renovation or investment. Holding cells wall collapsed more than two years prior. No detainees held at station, instead transferred. Rebuilding halted and never resumed. Plans for capacity of ten to fifteen detainees per cell.

Quloo'a Police Station

Built in 1997 as a police station. Small cell block to one side. Four rooms, each with capacity of four to six detainees. 4 by 8 feet “outdoor area” between cells with roof of metal bars. Prison dilapidated, affecting conditions and security. One cell originally for women but converted. Women sent to CID. Nine detainees observed, including one Somali. No juveniles. Most prisoners in cells for three to four days. One complained of police abuse and had visible injuries. Food and water are major problems. Previously a contractor delivered cooked food but that has

stopped and food only comes when families provide it. Mattresses and bedding also provided only by family, if at all. Tap water adequate for washing but not potable. Citizen trust weak. Tensions related to conflict affect relations with community.

Hadramawt: Fwah Police Station

Small holding cell area within prison. Two rooms with two toilets, no doors. Fan in each room, two windows in each cell. No electric lights. Exposed wiring. One detainee present, apparently with mental health issues. Staff claimed contractor service provides three daily meals. Not witnessed.

Hadramawt: Mukalla Police HQ

Holding cells in small building on right side of police HQ compound. Known as remand prison. Three cells and a room for guards. Building in disrepair. Security weak. Twenty-two detainees present at visit. Capacity, twenty-one. All adult males, one Somali. Outdoor space a corridor with open barred roof, narrow and littered. Kitchen in central area. Cooking by female officer. Drinking water an issue. No medical care on site. Ambulance available for transfers. Three recent escapes associated with external incursions. Detainees held between fifteen days and seven months. Many uncertain about progress of cases.

Hadramawt: Mukalla Traffic Police

Building not designed for detention. Detainee charged with accidental vehicular homicide soon to be released on bail. Held for days. Nine traffic police officers detained for 48 hours after refusing to patrol because of fears for assigned areas. Say they are “in fear for their lives.”

Hadramawt: Mukalla Criminal Investigation Department Holding Cells

Building old, not designed as detention facility. “The place is not fit for holding people and respecting their freedoms and legal rights, but that is what we have.” Not well secured. Lacks all basics. Fifteen detainees present, held for two to twenty days. No women, one juvenile. Capacity, thirty. Detainees kept in cells all day. Food allegedly provided three times a day. Water an issue. Water tanks old and damaged. Prisoners threatened staff with revenge on release.

Hodeida: 7th July Police Station

Dilapidated and disorganized police station. Lacking basic furniture and equipment. Holding cells to one side of main building. One large cell in use, filthy inside, poor hygiene. One extremely agitated detainee complained of police abuse. Staff shouted aggressively. Sense of total lack of control. No budget. Mattress and food provided by staff personally.

Hodeida: Ad Dari Police Station

Police station dilapidated. Staff reluctant to show cell area at the back. One old concrete cell, bars worn away from window area. Hygiene poor. No toilet. No capacity to feed detainees without family support. Detention for short periods.

Hodeida Criminal Investigation Department Holding Cells

Cells in basement of large security directorate and central city police building. Cells medium size. Little light. Unclean, cells littered with bottles, qat, food, etc. Despite fans, ventilation poor. Foul odor. One courtyard area with access to light several floors up through grated ceiling. Atmosphere tense, one detainee had mental health issues. Guards extremely rough. Twenty-two adult males in custody at visit. Juveniles observed and reported. Capacity allegedly sixty, seemed at or beyond capacity. Most reportedly held between one and three days. Inmates reported longer stays, some over a month. Complaints of poor treatment, including sleep deprivation, beating, lack of medical care. Families provide most meals.

Ibb Criminal Investigation Department Holding Cells

Built about 2008. Designed as a government building. Minimal fortifications. High perimeter wall, no monitoring towers. Main gate in danger of collapsing. Bars of cells not sufficiently reinforced. Three large cells, two small isolation cells, separate toilets for each. No exercise area or outdoor space. Cells dirty and disordered. Torn floor mattresses, no carpet. Too few toilets, broken taps. Light switches broken. Exposed wiring. Sewage and garbage problems. Capacity, thirty five. Population, forty-eight. Three juveniles, one under age ten. Food provided when family can bring it. No proper drinking or washing water.

Ibb Western Area Police Station

Built in 1980s as a basic police station. In disrepair. One detention cell, approximately 3 by 5 meters, no carpet. Poor ventilation. One communal bathroom, dirty. Capacity, ten. Three prisoners during visit. No budget for food, water, bedding. Provided by family. One prisoner held for three days. None knew case status.

Sayun Criminal Investigation Department Holding Cells

Built in 2001. Two small rooms with bathrooms. Poorly ventilated and secured. Capacity, twelve. No detainees at visit. Detainees usually in cells all day. No outdoor access. Guards report sharing food cooked onsite with inmates. Staff in civilian clothes.

Sayun Police HQ

Built spring 2014. Holding cells in small two-room building to one side of compound. Capacity, twelve. Two detainees during visit. Food provided by police HQ. Water frequently a problem. Detainees present held for one week. No women or juveniles.

Tareem Police Station

Relatively new and well-kept building. Holding cells in two small buildings in bad condition. Capacity, eighteen. One detainee during visit, who had been held for three days. No outdoor space or time. Food was provided by police station. Water reportedly adequate.

Socotra Police Station

Medium-sized walled compound. Two large holding cells in back—one male, one female (almost never in use). Cell for males dilapidated, covered in wall drawings. Basic cleanliness,

ventilation, and light. Adjacent good bright outdoor area. Toilets dirty and in disrepair. Inmates allowed to roam within compound if on good behavior. Capacity, thirty-five male, twenty-five female. Rarely full. Four detainees during visit—two sentenced, two pre-trial. One older man held twenty-four days, one more than a year and to serve sentence at Mukalla Central. A female detainee once held at the prison during the day and returned home each night. Juveniles rarely held, generally placed with guardian. Food and water an issue. No budget for prisoner care. Staff and prisoners receive same food. Security issues rare. Occasional escape attempts.

Taiz Criminal Investigation Department

Temporary detention facility with PGO based at the office. Capacity, 20 to 25. Population, as many as 140; 89 during visit. No budget for water or food. Water donated, food mostly provided by family. Broad cross-section of crimes includes theft, drug offences, murder. Held for two to seventeen days. No foreign detainees. Women sent immediately to central prison. Juveniles sent to juvenile facility, if age sixteen to eighteen often sent them back. Eight juveniles during visit. No medical center. Assistance provided by Red Crescent. Transport often a challenge, detainees often made to pay. Four cells, open to each other and to corridor. Cells carpeted and well lit, some graffiti and superficial damage, no structural issues. Most prisoners roam freely. No access to outdoor space. Open grating in corridor provides minimal (but free) access to sunlight. One room functions as mosque, water provided. Bathrooms effectively nonfunctional. Four stalls, backed-up plumbing, usually no running water. Hygiene very poor. Detainees relaxed, interactions with staff positive. Complaints about food: variety, nutritional value, and amount. Isolation cells present and in use.

Taiz Police HQ

Holding cells within chaotic police building in serious disrepair. High overcrowding. Capacity, eight. Population, twenty-five. Cells among worst in cleanliness. Poor sanitation, filthy walls, bad smell, poor ventilation, poor light. Meals primarily provided by prisoners. In theory detainees share staff food, in practice inconsistently. No consistent drinking water. No clean bathing water. Bathrooms foul and unsanitary. Good outdoor light access (open area). No potential for exercise. Station neglected. Little to no contact with lawyers or family. Designed as temporary facility, no funds. In practice, detainees held for much longer periods than allowed by law or envisioned for facility. Consistent violation of holding rules (beyond limits set by law) in evidence, some detainees held for more than twenty-five days.

Courthouse Holding Cells

Aden Court of Appeals

Row of concrete holding cells, open barred sides, behind courthouse. Cells empty but clean. Used on limited basis, given many appeal cases on technicality. When used, only briefly.

Hodeida North and South Circuit Court and PGO

Very small holding cell areas in corridors outside courthouse. Used immediately before trial. Quite cramped but used only for minutes or hours.

Taiz Judicial Complex

Access not possible because key could not be found (a serious security and health and safety issue in itself). Officials willing for detainees to be questioned briefly. Building new, constructed along with judicial complex. Freestanding, approximately 15 feet by 20 feet. Grated window for access to sunlight and fresh air on three facing walls. Two rooms hold approximately fifteen to twenty detainees. Most held approximately a week, and some for a few days. Bathroom inside, but no water available. Complaints of too little food, cramped quarters, poor air circulation, high temperatures. Not allowed out for fresh air or exercise, no way to secure them.

Sabr al-Mwadem Court, Taiz

Access denied. Brief interaction with detainees, questions through window, quickly halted. Single room, approximately 12 feet by 18 feet. Small grated windows on sides of building. Population, approximately 20. Two held for two weeks.

West Sana'a Court, Sana'a

Access inside denied. Small, likely single room, approximately 8 feet by 12 feet. Door open, only outer grate confined prisoners. Easy to see inside and communicate with prisoners. Prisoners frantic, shouting demands and requesting help. Power out at court. Cell dark and dank. One small, horizontal window with grating near the top of each side of building the only access for light or fresh air when door not open. Population, approximately twenty in cell. Some held for months, or could not remember. Bathroom and running tap water. Two guards wore MOI and regular local police uniforms, general security assigned to court, not detention.

Juvenile Care Centers and Model Juvenile Police Station

Aden Juvenile Care Center for Boys and Girls

Renovated in 2000s with U.S. assistance. Girl's facility closed for nine months following an escape and scandals. Girls now sent directly to central prison. Under direction of Ministry of Social Welfare, center staffed by specialized personnel with backgrounds in child psychology, social work, and education. Low budgets, volunteers are also involved. Calm positive atmosphere, clear routine incorporating education, play, and skills training. Bright, clean dormitories with overnight staff to supervise. Toilet areas not all clean. School area, library, play, workshops, outdoor football field, theater. Family visits strongly encouraged and facilitated carefully. Food and water sufficient. Kitchen equipment needs upgrade. Medical services adequate. Children mostly taken to local clinic if sick. Security an issue, also a balance between low intensity in security and frequent escapes. Compound gate opened to team by small child.

Crater Model Juvenile Police Station

Opened in February 2014 as part of combined initiative to reform juvenile care within criminal justice system. Still unfurnished and not operational. Juveniles to be diverted away from normal criminal justice system and filtered through this police station staffed by specially trained police, social workers, child psychologists, etc. Staff enthusiastic, envisage more a guesthouse than police station. Pilot centers opened in Sana'a, Aden, Taiz, and Ibb. Building abuts large busy road. No outdoor or play space. Staff concern that without proper funding never more than a good idea.

Hodeida Juvenile Care Center for Boys

Opened in 2003, moved in 2010. Facility clean, bright, well managed. Houses only boys, currently twenty in facility. Provides supervision and home visits for eight on remand. Center for girls being created. Currently home incarceration and supervision. Detention in central prison only in very serious cases or when suitable guardian not available. Staffed by specialized social workers, psychologists, education, and child specialists. Carefully planned routine offers structured days, education, play, skills training, games, and counseling. Medical care good. Doctor visits for checkups, available on call. Only staff complaint food budget and poor water supply. Spotless dormitories. Children segregated by age, some perhaps crowded. Play areas, looms for sewing, library, school rooms, child-friendly decoration, general sense of calm.

Ibb Juvenile Care Center for Boys

Square building, garden, and volleyball field. Designed more like school than detention facility. Classes and workshops one side, living quarters and administration on the other. Perimeter wall is not high enough, allowing escapes. Facility lacks protection. Four rooms, one for each age group, approximately 6 meters by 6. Population, sixteen. Staffed by specialists, high turnover. Caring and calm environment. Medical attention good, includes visiting nurse and dentist. Structured day, routine includes learning, play, art, sport, vocational skills, and therapy. Facility houses some farm animals the children care for. Main staff concern, proximity of building to governorate trash dump. Respiratory ailments common. No court transport, use public.

Sana'a Juvenile Care Center for Boys

Large facility resembling boarding school, but with security on gates and perimeter. Population, forty boys age eight to sixteen. Capacity, 150. Girls in a separate facility in Sana'a. Specialist staff includes public school teachers, psychologists, social workers, child specialists, doctors, and female supervisors. Medical care provided by volunteer doctor who visits regularly. Routine carefully developed and adjusted to incorporate learning, psychological help, theater and self-expression, hygiene lessons, art, literature, and play. Dormitories clean and brightly decorated with paper artwork made by the children. Some issues in bathrooms, staff struggle to keep them as clean. Some broken taps and water heaters. Supervisor assigned to each section. Area for smaller children has female supervisor. Family visits encouraged and structured to incorporate family therapy.

Appendix D. Prison Act and Regulations

Introduction

Directives of H.E. the President of the Republic

The Penitentiary authorities shall take into account the importance of the psychological factor in reforming and rehabilitating the prisoners. They shall continuously endeavor to develop and improve the services they provide to prisoners because they are in need for humane treatment and caring environment. Furthermore, the prisoners shall be free from hunger, diseases, and abuses. They shall maintain their family links, preserve their dignity and observe their human rights.

Marshal Ali Abdullah Saleh
President of the Republic

Republican decree no. 48 of 1981 concerning prison organization

After reviewing the declaration of the RoY agreement,

And the constitution of the Republic of Yemen,

And the republican decree no. 1 of 1990 concerning the formation of the Cabinet, and after the approval of the Presidential Council

It was decided:

Chapter 1. Definitions

Article (1): This law shall be called “the Penitentiary Authority Organization Act”.

Article (2): For the purposes of this Act, the following terms and expressions shall have the meanings specified hereunder unless otherwise required by the context:

The Republic: the Republic of Yemen

The Government: the Government of the Republic of Yemen

The Ministry: the Ministry of Interior and Security

The Authority: the Penitentiary Authority

The Chief: the Chief of Penitentiary Authority

The Director: the Director of the Central Prison or its branches

The Guards: the Guards of the prison from all ranks

The Prison: the place where the prisoners and remand prisoners are admitted to.

The prisoner: any person who was sentenced to imprisonment

The Remand Prisoner: any person who was detained by a legally competent authority.

Chapter 2. General provisions

Article (3): The treatment of prisoners inside the prison shall aim at achieving the following:

1– Reform and rehabilitate the prisoners using all educational, medical, vocational, and social services as well as the entertaining, cultural, and sports activities.

2– Create the desire and pursuit to lead an honest life and a good citizenship among the prisoners.

Article (4): All the employees in the prison shall help and impress the prisoners by offering a role model and a good example for their reformation.

Article (5): The activity of the authority shall aim at ensuring the re-education of the prisoners and instilling the spirit of love of work and law-abiding. It is not permissible to inflict physical or mental harm to prisoners serving their sentence in prison.

Article (6): The authority and all its employees shall abide by the provisions of this Act and the other laws in force in the Republic.

Article (7): The effective judicial sentence shall be the basis for executing imprisonment punishment and practicing the reforming and educational effects on the prisoners.

Article (8): It is not permissible to imprison or admit any person in prison without the executive warrant of the judicial sentence signed by the competent judge or the imprisonment order written on the related template, signed by the competent Prosecution and stamped with the official stamp of the competent authority.

Chapter 3. System of admittance and release of prisoners

Article (9): 1– The person sentenced to prison shall be moved to the prison immediately after the issuance of the verdict.

2– The Minister shall issue the moving system for moving the sentenced person to the prison to execute the punishment constituent to paragraph 1 of this article.

3– Prison management shall inform the family of the prisoner of his location and notify them in case he is moved to another prison.

Article (10): Only sentenced persons by effective judicial sentence shall be admitted to prison, except those who are convicted with crimes of severe social danger, who are sentenced to remand prison by the prosecution during the investigation stage or by the competent court during the trial period.

Article (11): Taking into account the Criminal Procedures Act related to the release of prisoners, prison management shall:

1– Release the prisoner in the morning of the same day of the end of the period of imprisonment stated in the verdict.

2– Release the prisoner after the completion of the defined period for remand imprisonment based on a written order by the competent authority which issued the order of imprisonment.

Chapter 4. Reformation, rehabilitation, and vocational training

Article (12): Prison management shall organize labour in prison and shall resemble as closely as possible the labour conditions outside the prison in terms of quality, method, and type of tools and equipments.

Article (13): Labour shall be part of the execution of the punishment not the punishment itself, and shall be considered as a necessity to maintain the prisoner's being and the interest of the society.

Article (14): The working hours shall be no less than 4 hours and no more than 6 hours. It is not permissible to require the prisoners to work on weekends and official holidays.

Article (15): The remand prisoner shall not be required to work.

Article (16): If it is required to put the prisoners to work in public service or in remote locations, they can be sheltered at night in temporary camps or in prisons in accordance with the orders of the concerned prison director and the approval of the Minister.

Article (17): The prison labour shall aim at rehabilitating the prisoner and provide him with vocational training to help him to reintegrate in the society and become a good citizen.

Article (18): Industrial security means shall be provided in the work place of the prisoners similar to what is provided outside the prison.

Article (19): The prisoner shall be paid for the work he performs and shall be granted with remunerations for work injuries according to the Labor Law. The wages and remunerations shall be defined by a ministerial decree and in coordination with the Ministers of Civil Service and Vocational Training.

Article (20): A suitable means of study shall be provided for prisoners as much as possible inside the prison for the prisoners, especially illiterate prisoners. Capable prisoners who wish to complete their study may have the opportunity to do so inside the prison only.

Article (21): A breacher shall be assigned for each prison in order to attract the prisoners to virtue and encourage them to perform the religious duties. Also, there shall be one or more specialist in psychological and social sciences.

Article (22): There shall be cultural programs to engage the prisoners during their free time and to give them the opportunity to practice sports and entertaining activities.

Chapter 5. Health care for prisoners

Article (23): Prison management shall take into account the public health inside the prison, assume the responsibility of the prisoners' medication, provide prisoners with health and preventive care, and appoint specialized doctors in coordination with the Ministry of Public Health.

Article (24): The instructions and observations of doctors in health, prevention, medication, and nutrition shall be abiding for the prison management. If it is impossible to implement the doctors' instructions due to the lack of possibilities, they shall be referred immediately to the Minister to take necessary action.

Article (25): The Minister, in agreement with the Ministry of Public Health, shall issue a detailed guidelines to regulate the health and medical affairs inside the prison, determine the functions of assistant doctors and the procedures for transferring the sick prisoners to public hospitals and define the schedules for food, clothes, mattresses, and furniture portions for the prisoners.

Article (26): Prisoners who have a psychological or mental disease shall be transferred to the psychological and mental hospital based on the report of a competent doctor and in accordance with the related regulations.

Article (27): A pregnant prisoner shall be provided with health care before, during, and after delivery according to the recommendation of a competent doctor and based on rules and regulations.

Article (28): A baby delivered inside the prison shall not be mentioned in the official records of the jurisdiction. The baby shall not stay in prison with his mother after reaching 2 years of age and shall be delivered to his father or relative unless the competent doctor decides that his condition does not permit delivery to the father or relatives.

Article (29): If the baby delivered in the prison does not have a father or trustworthy relatives, he shall be delivered to the authority responsible of sheltering houses through the respective Governor. The baby can be kept in the prison for compelling reasons based on the Minister's order.

Chapter 6. Facilities for prisoners

Article (30): Prisoners shall be granted, in addition to the rights granted in this Act, the following facilities:

- 1– Meeting family, relatives, and friends;
- 2– Receiving and replying to correspondence;
- 3– Receiving and re-transferring many transactions.

Article (31): The remand prisoner shall meet his relatives and attorney based on a written permit from the authority which issued his imprisonment warrant.

Chapter 7. Prisoners' classification

Article (32): A place in prison shall be assigned and named "the reception" which shall receive the prisoners upon their admittance into the prison, and shall classify and isolate them as follows:

- 1– Prisoners who enter the prison for the first time from those with history;
- 2– Prisoners guilty of severe social crimes;
- 3– Foreign prisoners from Yemeni prisoners;
- 4– Minors from adult prisoners;
- 5– Female prisoners from male prisoners.

Article (33): Women in authority shall be entrusted to the tasks of guarding and management of the affairs of women prisoners.

Chapter 8. Disciplinary measures for prisoners

Article (34): Prison directors are granted the power of imposing disciplinary punishment on any prisoner who violates the regulations and instructions issued in accordance with this Act and its regulations as follows:

- 1– Deprivation from participating in the sports and entertainment events for a maximum period of one month followed by eliminating no more than 7 grades from conduct;
- 2– Deprivation from correspondence for a maximum period of two months followed by eliminating no more than 7 grades from conduct;
- 3– Deprivation from buying allowed consumer materials for a maximum period of one month followed by eliminating no more than 7 grades from conduct;
- 4– Deprivation from periodic visits twice followed by eliminating no more than 5 grades from conduct.
- 5– Solitary confinement for a maximum period of two weeks followed by eliminating no more than 15 grades from conduct.

Chapter 9. The procedure concerning the execution of death penalty

Article (35): The following measures shall be taken by prison management towards persons sentenced to death penalty:

- 1– A person sentenced to death should be checked carefully and put in a solitary cell under constant watch.
- 2– The Prison Director shall be responsible for verifying the identity of the person sentenced to death penalty upon receiving him for execution and make sure that he is the same person whose name is mentioned in the Prosecutor General's order.

- 3– The execution of death penalty shall be according to the provisions of the Criminal Procedures Act based on a written order from the Prosecutor General submitted to the Minister in the legal template in which all the required procedures by the law are detailed.
- 4– The Minister shall notify the Prosecutor General of the defined date, time, and location of execution beforehand.
- 5– If the religion of the person sentenced to death requires him to perform certain rituals according to his religious belief before death, he should be allowed to perform this ritual as far as possible.
- 6– The relatives of the person sentenced to death shall be allowed to visit him on the previous day of execution and the prison management shall notify them of the matter.
- 7– The execution shall be in the presence of the Prosecutor General or his representative, the prison director and the prison doctor. No one else shall be allowed to be present without the permission of the Prosecutor General.
- 8– Prison management shall bury the body of the executed person at the expense of the Government unless the relatives of the deceased requested to receive the body. In this case, the body shall be delivered to them.

Chapter 10. Internal rules and regulations of the prison

Article (36): The Minister shall issue the internal rules and regulations of the prisons as follows:

- 1– The entry and exit system for prisoners and visitors including inspection, guarding, visits organization, prisoners' movement from prison to another and other security issues in the prison.
- 2– Determine the types of records and data of the prisoner like the judicial papers, the conduct, the health and mental condition, the prisoner's belonging, etc.
- 3– Determine the type of uniform for the prisoners and persons sentenced to death.
- 4– Determine the prisoners' condition according to their classification taking into consideration the level of dangerousness, sex, age, history, duration of penalty, and the type of crime according to the security requirements.
- 5– Determine the human labor force in prisons in all their specialties, assistant positions and the system of their work, transfer, mission, and appointment including the other hired guards.

Chapter 11. Cases of using restraint means and firearms against prisoners

Article (37): The police officers working in prison shall have the right to use restraint in the following cases:

- 1– Prisoner escape or attempt to escape;
- 2– Riots, unrest, or gathering by prisoners that could cause storming and breaking down or climbing the gates or fences of the prison;
- 3– Resisting prison police.

Article (38): 1– Prison police may use firearms in the cases mentioned in article (37) if other restraint means proven un-useful provided to be preceded by a call to stop and firing gunshots in the air as an alarm.

- 2– When using firearms, the life of prisoners must be preserved as much as possible. The prisoners shall be provided with first aid treatment while taking into consideration the required security measures.
- 3– It is prohibited to use firearms in cases where the lives of other people who are not related to the events can be put in danger.

4- The prison management shall inform the Prosecution of any act mentioned in this article and article (37) of this Act.

Chapter 12. Final provisions

Article (39): Any person who commits the following acts shall be punished by imprisonment of 3 months and a fine of no more than YER 5000 or one of these two punishments:

- a) Any person who brings in or tries to bring in, in any given way, any item to prison that violates the rules and regulations of the prison.
- b) Any person who brings in or takes out correspondence or documents in contravention of the laws and regulations of the prison.
- c) Any person who gives a prohibited item to a prisoner or a remand prisoner shall be punished by imprisonment for a maximum period of 6 months or a fine of no more than YER 5000 or both if the person who committed this act is an employee or worker at the prison or one of the guards assigned to guard the prison.

Article (40): Any person who helps or facilitates the escape of a prisoner or a remand prisoner shall be punished by imprisonment for a maximum period of 5 years or shall be fined by a maximum amount of YER 10000. This punishment shall be doubled if this act is committed by one of the employees of the prison.

Article (41): Anyone who admits a person to the prison without a written order from the competent court or the Prosecution shall be punished by imprisonment for a maximum period of 5 years or shall be fined by a maximum amount of YER 10000 or both.

Article (42): a- The prosecution and the jurisdiction shall oversee the veracity of execution of the judicial verdicts in prison and shall take the necessary actions to remove or prevent any violations by the prisons' managements, the prisoners or any other party.

b- Prison management shall implement the decisions and directives of the Prosecution and the jurisdiction related to the execution of the punishment of imprisonment.

Article (43): The executive regulations of this Act shall be issued with a republican decree after the approval of the Cabinet.

Article (44): The republican decree shall be nullified by Act no. 31 of 1979 regarding prison organization issued in Sana'a as well as Act no. 7 of 1987 issued in Aden. It shall nullify any provision or text that contradicts with its provisions.

Article (45): This republican decree shall be put into force with an act starting of the date of its issuance and shall be published in the official newspaper.

Issued by the Presidency of the Republic- Sana'a

28 Ramadan 1411 hejra

Corresponding to 13 April 1991

Lt. General Ali Abdullah Saleh

Chairman of the Presidency Council

Republic Decision No. 221 of the year 1999
Executive Prison Regulations of Law No. 48 of the year 1991

The President of the Republic:

Pursuant to a review of the constitution of the Republic of Yemen;

And republican decree of law No. (20) of the year 1991 concerning the Cabinet.

And law No. (48) of the year 1991 regarding prison regulations;

And republican decree No. (169) of the year 1995 regulation of the Ministry of Interior.

And republican decree No. (72) of the year 1998 government formation and the naming of members;

And a proposition by the Minister of Interior;

And pursuant to the approval of the Cabinet

It was decided:

Part 1

Terms and Definitions

Article (1)

This regulation is known as {the executive regulation of prison laws}.

Article (2)

For the purposes of this regulation, the following terms are defined as follows:

- Republic: Republic of Yemen
- Ministry: Ministry of Interior
- Minister: Minister of Interior
- Authority: The Prison Authority
- Chief of the Institution: Chief of The Prison Authority
- Director: The Director of a Central Prison or its branches
- Guards: Prison guards of various ranks
- Prison: Facility in which prisoners and remand prisoners are held
- Prisoner: Every person sentenced through a judicial decision to be held as a prisoner
- Remand Prisoner: Any person sentenced through a judicial decision or through a decision by a relevant legal authority to be held in detention awaiting trial
- Act: Prison Regulation Act No. 48 of 1991

Part 2

Duties of Prison Staff

Chapter 1

General duties

Article (3):

All prison staff must perform the following duties:

- 1- Adhere to provisions of the prison act, laws in force, and this regulation.
- 2- Not enter or exit the prison, nor try to take anyone or anything or anyone's belongings inside or outside the prison unless permitted by the rules and regulations
- 3- Not to disclose or reveal any information related to the prison or prisoners, not to disclose any information related to the prison, prisoners, or his/her work except to authorized personnel as stated in the regulations.
- 4- Prohibit all unauthorized communication of prisoners.
- 5- Be in strict compliance with the law authorizing the use of firearms.
- 6- Not exploit any prisoner for any personal purpose.
- 7- Deal firmly with prisoners while taking into consideration humanitarian concerns.

- 8- Immediately inform the Prison Director if they observe any disorder, irregularity, or signs of disturbances of prison order that may violate security or safety of prisoners.
- 9- All external communications must be done through the Prison Director, with the consent of the Prison Authority Chief when necessary.

Chapter 2
Duties of Prison Director
Article (4)

The Prison Director must perform the following tasks:-

- 1- Carry out responsibilities and duties prescribed by the two acts of prison regulation, penal procedures, laws and rules relating to prison work, decisions issued by the Minister or other directives issued by the Prison Authority Chief.
- 2- Ensure the well being of prisoners in prison, and to classify them according to what the laws and regulations specify.
- 3- Verify that any judgment, directive, or decision for imprisonment or release is issued by a relevant legal authority in accordance with the law from a facial standpoint.
- 4- Ensure that every prisoner or detainee once admitted to prison, are met by the Prison Director within a maximum of 12 hours, and are informed of their duties, rights, and the circumstances in which they may be subject to shooting.
- 5- File all directions and instructions regarding prison employment and its facilities in the prison system and its appendix which must be adhered to by security forces, employees and prison users.
- 6- Clarify specialties and delegate work and duties to security forces, employees and prison users to ensure that every person performs their assigned duties. In case of absence for any reason, another staff member must perform their task, which must be then filed in prison records. Accordingly, legal measures must be taken against the absent individual.
- 7- Task prisoners with specific work and monitor them throughout, ensuring that the work is properly carried out in addition to verifying a head -count. Daily searches of prison cells, working stations, and all parts of the prison are to be carried out to ensure cleanliness and orderliness, and to pass by prisoners while they are carrying out any activity within the prison.
- 8- Pass by on a regular basis, prison facilities and all buildings belonging to the facility, checking doors and windows ensuring their compliance with safety standards, taking the required measures accordingly to address any faults, and if need be, to notify the Prison Authority Chief, and to be thorough in checking the areas where the more dangerous prisoners, and the ones that pose a threat of escaping the prison are held.
- 9- Ensure the sufficiency and competency of guards and precautionary security measures, their correct distribution and organization in the prison guaranteeing the maintenance of prison security both day and night. Surprise inspections must be carried out from time to time suggesting amendments or changes where necessary.
- 10- Ensure the sufficiency and adequacy of precautions preventing and combating fires, and to ensure that the equipment is in good condition and valid for use, and that they are placed in their designated areas.
- 11- Take appropriate measures to prevent entry of contraband into the prison and to continuously carry out surprise inspections of the prison and prisoners, seizing any prohibited items and to take legal measures accordingly.
- 12- Not to allow anyone to enter the prison or speak with prisoners without a written permit from the relevant authority, and not to allow the opening of the prison at night unless pressing circumstances exist, which is to be carried out by authorized personnel that subsequently log it in the prison incident records
- 13- Inspect the prison kitchen and ovens ensuring that food is adequately prepared and safely distributed, that it complies with the specific standards set out and to ensure that rations are given out to prisoners in a timely manner.
- 14- Check prison groceries ensuring that they are fit for consumption and that their prices are compatible with the selling prices of other grocery shops.
- 15- Check prison stock ensuring adequate storage and to carry out ad hoc inventory inspections to ensure that it meets the standards specified in the records.
- 16- Check safes and cupboards that are designated for the safe keeping of money, possessions and other valuables and to carry out a surprise inventory check at a minimum of twice every month and to log the findings in the specified records.

- 17- Receive all judicial documents relating to prisoners and to hand it over to them the moment they are received, and to receive their appeals and any other requests designated to courts, prosecutors, or the authority issuing the imprisonment order and to log it in the specified records and to immediately deliver it to the designated authorities.
- 18- Hear out all prisoner complaints and take the necessary and proper measures accordingly
- 19- Ensure that no one is allowed to enter the female prison, their housing or places of work except for those who are legally authorized in the name of carrying out their formal duties, in the presence of the female prison supervisor or her delegate.
- 20- Have the power of executive oversight of the prison, prisoners and all persons, militants or civilians employed in the prison.
- 21- Supervise all vocational, educational, social work and social awareness activities and other programs that are assigned by the Prison Authority Chief.
- 22- Report to the Prison Authority Chief through the managerial hierarchy, regular and annual statistics, data and information that are requested according to the specific designs, models and forms, in which the Minister issues a decision thereof.
- 23- Immediately notify the public prosecution, the authority issuing the detention order and the Prison Authority Chief in the event of the prisoner or detainee being subject to the following:
 - a. Death or serious illness.
 - b. Escape or riots.

Chapter 3 **Duties of Social and Psychological Specialists**

Article (5):

The social worker must perform following tasks:

First: In the area of admission and examination of cases:

1. Meet prisoners at the earliest opportunity following their admission to the prison to get to know them, instill confidence, examine their situation and study it, diagnose them, identify the reasons behind committing the crime and planning to outline a therapy and treatment path whilst serving their sentence and to propose appropriate work and activity.
2. Register all data and information about prisoner in the specified registers.
3. Help the prisoner in tackling his personal problems, and to improve his family and community relations in the prison.
4. Limit and register cases of prisoners' families that require help, and to notify the Ministry of Social Affairs through the Prison Director.
5. Introduce the prisoner to the prison community, its aims, goals and prisoner treatment regulations, and to stress the importance of compliance with the regulations and activities of the prison
6. Participate in committees that work in the fields of education, housing, vocational training, conditional and special release and incremental treatment, and to supply these committees with information and data that aid in achieving its goals
7. Create a log for prisoners' complaints and those of their families forwarded by the prison administration for follow up and potential resolution with procedural evidence and notify the complainant with the result.
8. Follow up on prisoner's cases throughout their imprisonment term, and create a public file for each prisoner that includes all information, data and research carried out about their cases.

Second: In the realm of working with prisoners and occupying their free time:

1. Create a homogeneous organized culture of prisoners in the fields of education, sports, entertainment allowed within the prison, exercised during non-working hours and to supervise and encourage prisoners to join for the purpose of creating a conduct of good cooperation and competitiveness amongst the prisoners.
2. Set programs for the exercise of these activities, arrange competitions and report these activities to the prison administration.
3. Oversee the prison's library, its activities and to encourage prisoners to read
4. Oversee the prison's local radio station, issue magazines and organize meetings and seminars, and to revive national and religious occasions determined by the prison's administration.

Third: With regards to follow-up care:

1. Meet with the prisoners who are to be released two months before their release in the form of weekly seminars to rehabilitate them socially to face society post release.
2. Review the social files of released prisoners to assess their situation and work on to solving their external problems.
3. Contact Social Services and other institutions and committees that work in the field of caring for released prisoners and to cooperate with them to set a pre-release plan and provide the required assistance.
4. Follow up on cases of released prisoners, assess their conditions and problems they are facing, help in resolving their problems and log the procedures taken to follow up in the specified record.
5. Submit to the prison administration and the Prison Authority Chief based on cases reports of their work.

Fourth: General duties:

1. Organize records, documents and social files as required by the job, prepare periodic reports and statistics and inform the prison's administration, and Prison Authority Chief with the data and information, and accordingly their recommendations.
2. Cooperate with the prison's doctor and other specialists in following up on cases of prisoners.

Article (6)

The Psychologist must perform the following tasks:

1. Meet the prisoner at the earliest opportunity following admission into prison, and to review all medical reports and social researches that were carried out regarding the prisoner's life and family relations and troubles, to diagnose their psychology and the factors and reasons that led to committing the crime, to draw up a treatment plan for the duration of the sentence and prepare a report thereof.
2. Carry out psychological tests and analyses according to the prisoner's needs and to provide the required psychotherapy to any prisoner with such a need
3. Cooperate with the different specialists in diagnosing and assessing the prisoner's condition, and to provide help to any prisoner that requests it or that is referred to them by the prison manager for diagnosis and treatment.
4. Oversee prisoners' behaviors through periodical reports provided by the different social specialists, doctors and supervisors of various activities.
5. Prepare and organize records, forms and files required by the job and fulfill the required data thereof, and to work on preparing and submitting periodical reports with regards to their work backed by statistics, data, and information.

Chapter 4

System and Administration

Section 1

Prison Administration

Article (7)

Establish a fixed force that executes the prison's rehabilitation and penal policy according to laws and regulations, which receive special training in order to aid in wholly carrying out their duties.

Article (8)

The Prison Director is responsible for reform, punitive measures, and detention implementation according to the law and these regulations, and has the responsibility of guarding prisoners, and of decisions issued within the prison, and has to abide by the orders and instruction issued by the Prison Authority Chief. All officers, guards, employees, and prison users must enforce and abide by the ordinances issued by the Prison Director.

Article (9)

The Prison Director must implement all written orders received from prosecution or relevant courts, by requesting the bringing of remand prisoners and convicts and to verify that they are sent according to the schedule set by that authority.

Article (10)

Taking into consideration the provisions of article (36), the Interior Minister is in charge of issuing the following regulations and organizational decisions:

1. The system of entering and exiting of prisoners and visitors to the prison that includes inspection, guarding and scheduling of visits.
2. Transfer of prisoners from one prison to another.
3. The types of records and data related to facilitating the running of the prison.
4. List of medical services in the prison in coordination with the Minister of Public Health.
5. Determining the uniforms of prisoners and of those who face the death penalty.
6. The tasks, transfer, assignments and appointments of the work force in prison.
7. Prisoner placement according to their classifications, taking into consideration the threat and danger they pose, sex, age, prior convictions, length of sentence and type of crime, according to security needs.
8. The work force in the prison of different specialties, their work systems, their transfers, their classifications and appointments, including guards and other users.

Section 2

Formation of the Supreme Prison Committee and Specialty Identification

Article (11)

Formation of the Supreme Prison Committee is as follows:

- 1- Interior Minister: Head of committee
- 2- Representative of the Ministry of Justice: Member
- 3- Representative of the Public Prosecution: Member
- 4- Representative of the Ministry of Education: Member
- 5- Representative of the Ministry of Insurance and Social Affairs: Member
- 6- Representative of the Ministry of Work and Vocational Training: Member
- 7- Representative of the Ministry of Youth and Sports: Member
- 8- Representative of the Ministry of Public Health: Member
- 9- Representative of the Ministry of Endowment and Guidance: Member
- 10- Representative of the Ministry of Finance: Member
- 11- Chief of the Authority: Decision Maker

Article (12)

The Interior Minister has the discretion of member admittance to the Supreme Prison Committee as he sees beneficial and useful to the activities and functions of the prison.

Article (13)

Each authority is in charge of naming its representative in this Committee of which their rank must not be below deputy minister.

Article (14)

The Supreme Prison Committee is responsible for the following:

- 1- Developing and improving prisons and their performance.
- 2- Reviewing proposals related to the improvement of the prisoners' conditions, setting foundations and suggestions relating to their treatment, accommodation and therapy.
- 3- Setting a program of training and rehabilitation for prisoners.

Article (15)

The committee must hold regular meetings every two months, and the head of the committee reserves the right to call the committee to hold exceptional meetings when necessary.

Chapter 5
Reform and Rehabilitation

Section 1
Teaching, Education, and Preaching

Article (16)

The administration of each prison must conduct prisoner education programs and curriculums according to directives of the Prison Authority Chief in collaboration with the Ministry of Education and according to what the Supreme Prison Committee specifies.

Article (17)

The prison administration must encourage illiterate prisoners to join illiteracy resolution classes and the Ministry of Education must provide all the required educational tools and aids, and the prison administration must, to the utmost, work to help prisoners that have reached a limited stage of education, to further pursue it.

Article (18)

All examinations are to be performed inside prison, accordingly, it is prohibited for any prisoner to do an examination outside the prison, and the Prison Authority Chief must coordinate with the Minister of Education the distribution of proctors and examination committees, according to the system implemented by the Ministry of Education.

Article (19)

The prison administration must encourage prisoners to undertake cultural, social and artistic activities through organizing competitions between prisoners in the different areas of these activities and to honor those who excel.

Article (20)

The religious preacher must, to the utmost of his ability, work in collaboration with the prison administration on reforming prisoners through religious preaching and guidance according to programs and curriculums recommended by the Prison Authority Chief, and must especially focus religious, social and legal guidance on homosexual prisoners and prisoners with particularly bad behavior.

Section 2
Social Services

Article (21)

Each prison, according to the capacities and limitations, must have a sufficient number of social workers to implement social programs in the prison and the Prison Chief must through consulting with the director-general of rehabilitation coordinate the work between them and issue decisions and directives relating to social work in prisons.

Article (22)

Prisoners must be, as much as possible, encouraged to undertake sports activities in each prison, in coordination with the Youth and Sports Ministry according to the following methods:

- 1- Creation of playgrounds in the interior yards of the prison, taking into consideration the allocation of secure locations and to provide it with security measures.
- 2- Providing table tennis and basketball courts in addition to mental exercise games such as chess within the different sections
- 3- Arranging sports competitions among sections and departments for the purpose of occupying prisoners' free time and to contribute to their bodybuilding from a physical health standpoint.

Chapter 6
Prisoner Employment and Vocational Training Regulations

Section 1
Prisoner Employment

Article (23)

Subject to provisions of the law:

- a. Every prisoner sentenced with deprivation of liberty must work in occupations determined by prison administration.
- b. Females sentenced to imprisonment are to be assigned positions that coincide with their nature.

Article (24)

Injured or patient prisoners are not to be employed without a formal report from the prison doctor assuring that they are fit to do so.

Article (25)

Prisoners assigned to clean are not to be permitted to work in food and beverage positions.

Section 2
Wages of Prisoners

Article (26)

Prisoners are assigned positions according to their skills and competencies in each profession to three categories (a,b,c) according to the articles of this regulation.

Article (27)

Prisoners are to be given daily wages for their productive and artistic work according to the approved budget for this purpose.

Article (28)

The Minister along with the Ministers of Civil Service, Work and Vocational training and following a recommendation from the Supreme Prison Committee specify daily wages of each profession of the three categories.

Article (29)

Prisoners who work in different professions of vocational training workshops or those that join after the execution of these regulations are to be placed in the (C) classification.

Article (30)

Prisoner promotion into a higher classification is to be gradual following a profession examination by the vocational training committee according to rules set by the Prison Committee

Article (31)

The general director of reform and rehabilitation is permitted according to a recommendation from the vocational training committee to transfer a prisoner skilled in his profession from class (C) to either of the higher classes

Article (32)

Prisoners are not to be given wages for absent days unless their absence is excused following a written report from the doctor explaining that the illness is work induced, and in all other illness cases, prisoners are to be given wages for absent days with the condition that it does not exceed three days each time.

Article (33)

Prisoners are permitted to spend an amount not exceeding half their wage in acquiring their needs of prison certified goods or to provide support for their families following a recommendation from the social specialist, and the remaining balance is held on trust that is given to them on release.

Article (34)

The Prison Director has the discretion of allowing prisoners to spend more than the allowed rate of their wages when there is absolute necessity, and to log it in the prison record.

Article (35)

The prison administration is not allowed to expend prisoners' wages unless expressly permitted by the prisoner and without breaching prison administration withdrawals vis-à-vis the losses effectuated by the prisoner or through a judicial decision.

Section 3

Goals, Means, and Methods of Vocational Training

Article (36)

The goals of the training are to focus on the following:

- 1- Training male and female prisoners who were penalized with a liberty-depriving sentence throughout the duration of their sentence in vocational training for the purpose of acquiring a craft, or industrial or agricultural profession.
- 2- Vocational training programs are to be compatible, to the utmost, with the capabilities, needs, and desires of prisoners within the limits that coincide with sound rules for vocational training selection and the capacities and regulations of the prison.
- 3- Creating opportunities for prisoners post release in order to engage in honorable/respectful work that prevents them from the fouls of unemployment and return to crime.
- 4- Developing the skills of prisoners with expertise and to advance their scientific abilities.
- 5- Occupying prisoners' free time and advancing their activity.
- 6- Making maximum use of the unemployed work force in prison which benefits the prisoners and the community.

Article (37)

The methods of training are as follows:

- 1- Establishing vocational training workshops in every prison within the limits of its capacities according to health standards and requirements of industrial safety analogous to work regulations outside prison.
- 2- The number of workshops and their specifications must be proportionate to the number of prisoners to be trained, and accordingly, the type of profession that they will be trained in.
- 3- Establishing farms to train prisoners in agriculture and to supply these farms with all the required facilities to apply agreed upon training standards.
- 4- Selecting trainers specialized in crafts and different professions according to a high standard of competency, expertise, and conduct .

Article (38)

The means of training are as follows:

- 1- Setting adequate standards when preparing for the levels of training on the basis of belonging to a class with special circumstances.
- 2- Training standards are to conform, to the utmost, with what is practiced on production sites.
- 3- Periods of training must be proportionate to the length of the prisoner's sentence.

Section 4

Crafts and Artisan Work

Article (39)

The Minister must issue a decision to organize vocations and crafts based on the Supreme Prison Committee's recommendations whereas it encompasses the standards, specifications, tools and methods of the programs required exclusively for each profession, and the Minister, after consulting with the Prison Committee, can add any craft, reorganize, modify and cancel any of which.

Section 5
Training Committee
Article (40)

Members of the training committee must satisfy the following conditions:

- 1- Possess the relevant qualifications.
- 2- Mastery of the profession is the subject of training and knowledge how to use the required tools
- 3- Mastery of the training method specific to the profession and a number of other closely related professions.
- 4- Ability to select and utilize the means and methods of training.
- 5- Be of good reputation and behavior and not to have been convicted in cases related to dishonesty.
- 6- Must have a spark of innovation and to produce relevant training samples .

Article (41)

Work force profession requirements must be specified in every prison separately and in-lieu with the nature of the profession that is to be trained and the number of prisoners to be trained.

Chapter 6
General Testing Conditions and Acceptance to the Different Professions
Article (42)

Applicants for profession testing are conditioned by the following:

1. The duration of the prison sentence must cover the predetermined duration of training in which they are to be tested.
2. The prisoner applying for the test must be medically fit and approved by a report from the prison doctor
3. The level of education and experience must conform to the profession admission conditions.
4. Moreover, acceptance to the various professions are conditioned by the following:
 - a- Good familiarity with reading and writing with the preference to those familiar with mathematics
 - b- Having prior experience in the field of the profession to be trained in.
 - c- Prisoners to undergo preliminary testing in the field of occupation to establish what Article 43 of this provision set forth.
 - d- Taking into consideration the interest of prisoners' in profession testing that they are to be trained in.
 - e- Not to exceed 45 years of age and to be medically fit.

Article (43)

A committee must be formed in each prison, which is to be called the (Vocational Training Committee) chaired by the Prison Director or his deputy, the prison doctor and social specialist as members and head of the Training Committee as adjudicator whereas they specialize in selecting prisoners for the various professions according to the rules and regulations of prison law in addition to any other specialties provided by this regulation of provided by general director of reform and rehabilitation.

Article (44)

The committee is to meet once every week and to log their proceedings in records and allocated forms that contain the name of prisoners that were presented to it and the professions they are to take up, and the committee has to select a proportionate number to the capacities of each profession and to log the remaining applicants in waiting lists to supplement the required schedule.

Article (45)

The vocational training committee of the prison is allowed to change the prisoner's profession for medical reasons based on the prison doctor's report with the confirmation of necessity by the committee.

Article (46)

The vocational testing system is to be applied on trainees at the end of the specified training period to reaffirm that they are capable of understanding and thus gaining the required skill to practice their profession in the practical life.

Article (47)

The vocation test must include the practical and theoretical related aspects.

Article (48)

Prisoners are tested in each profession with the knowledge of the training committee according to rules and foundations set by the Prison Committee.

Article (49)

The prison committee determines the types of prisoner certifications to be given at the end of the course in consultation with the country's relevant authority.

Article (50)

The prisoner who has successfully completed the training period is given a certificate for the specific curriculum that states the successful completion of the training course, and clarifying the areas in which they were trained, the duration and level of skill that has been attained

Article (51)

The prisoner who has not been successful in passing the vocational test at the end of the course, the training will be recommenced in the same profession if the remainder of the sentence is of durational sufficiency for the course.

Article (52)

All instructions and directives of industrial safety (profession health and safety) issued by the Work and Vocational Training Ministry for the protection of prisoners at every workshop are to be enforced and followed.

Article (53)

All health standards must be taken into consideration, and natural and industrial lighting must be sufficient in the operation of workshops.

Section 7

Compensation

Article (54)

Rules, regulations, and worker injury compensation are to be applied, including illnesses contracted on the job by prisoners and workers that work in vocational training in prisons.

Chapter 7

Categorization and Housing

Article (55)

Prisoner categories are distributed to central, branch, and local prisons taking into consideration the contents of article (32) of the regulation according to the following details:

- A) Central prisons comprise of the following categories:
 - 1- Homosexuals with prior convictions and homosexuals of different prisoner classifications
 - 2- Convicts sentenced to incarceration for more than three years
 - 3- Detainees held in preventative/precautionary detention and immigrants
 - 4- Convicts transferred from branch prisons for bad behavior
 - 5- Convicts, not in the above categories, as designated by the Minister to the central prison.
- B) Branch prisons comprise of the following categories:
 - 1- Convicts sentenced to one year in prison
 - 2- Those with prior convictions and those of ordinary behavior
 - 3- Convicts transferred from the Central prison as part of a staged release
 - 4- Convicts and transferees from local prisons due to bad behavior
 - 5- Detainees held in precautionary detention for petty crimes.
- C) Local prisons comprise of the following categories:
 - 1- Convicts sentenced to less than one year
 - 2- Convicts transferred from central or branch prisons as part of staged release
 - 3- Detainees held in precautionary detention for petty crimes.
 - 4- Convicts imprisoned for civil debts.

Article (56)

Exceptions to previous regulations, in necessary cases, the Prison Authority Chief can issue a transfer to another prison.

Article (57)

No prisoner shall be transferred from one prison to another unless authorized by the Prison Authority Chief according to rules and regulations issued by the Minister or a judicial order.

Article (58)

Within the prison's capacities, housing of prisoners in rooms and cells in prison, whenever warranted by the prison's capacities according to the following rules, unless the chief orders otherwise:

- 1- Taking into consideration not to generalize between convicts with prior convictions and other prisoners, applied in the same manner to remand prisoners .
- 2- Taking into consideration to the utmost the placing of dangerous and homosexual prisoners with regard to security of the prison according to individual case, and must isolate those notorious for homosexuality in solitary confinement with constant supervision.
- 3- Prisoners convicted of similar crimes are to be grouped together while isolating addicts from others
- 4- Placing convicts of civil debt and those convicted of physical violence together.
- 5- Isolation of convicts and precautionary detainees of immigrants from other prisoners.
- 6- Taking into consideration cases mentioned above, a separated place is allocated to prisoners housing during the specified period or for placing them under medical testing.
- 7- It should be taken into consideration the placement prisoners of all categories and those with proximate ages together.
- 8- Considering not disrupting what follows, grouping of prisoner categories according to homogenous groups socially and culturally .
- 9- If necessity calls for it, the imprisonment of armed and security forces in detention that does not result in dismissing them from service must be isolated in a separate location according to the above rules.
- 10- The Prison Manager must ensure from time to time that classification and housing is done according to the law and these regulations.

Chapter 8

Treatment of Prisoners

Section 1

Precautionary Detainees

Article (59)

In a manner that does not conflict with the regulations of penal procedure, and following the regulations of Article (31) of Prison Regulation No (48) for the year 1991, precautionary detainees are allowed to meet their spouses and lawyers whenever need be, with a written authorization from the authority responsible for issuing the detention order.

Article (60)

Precautionary detainees are allowed to receive food from outside the prison according to the following regulations:

- 1- They must vow to the Prison Director that they will take the responsibility of bringing food from outside the prison at their own expense.
- 2- The food must be brought at the appropriate time set by the prison administration
- 3- The food must undergo restraints and conditions set by the prison administrator for the purpose of preventing contraband and luxury items from getting into the prison and to ensure their conformity with health regulations
- 4- Prison food is not to be dispensed for the prisoner nor can they receive its value, an exception to this rule is in the situation where they do not receive sufficient food following a report from the prison doctor in which case the Prison Administrator can issue the cancellation of receiving food.

- 5- If the prisoner fails to bring his own food or it was not available to him in a repetitive manner and in a way that affect the prisoner's health, the Prison Director is allowed to cancel permission of receiving outside food, is given the decided prison food that is given to all other prisoners .

Article (61)

The Prison Authority Chief is allowed to grant any prisoners convicted of civil debt or physical violence all or some benefits conferred upon precautionary detainees.

Section 2

Gradual Treatment

Article (62)

Every prisoner sentenced to imprisonment that has served five consecutive years must, before release, go through a transition period that is calculated on the basis of one month for a full year from their penalty with the condition that the transition period is not less than six months and does not exceed two years.

Article (63)

Prisoners enjoy the following benefits during the transfer stage:

- a- Transfer to the closest prison from his residential address.
- b- The prisoner is dealt with in the same manner as prisoners held in precautionary detention with regards to visits and correspondence and is permitted a weekly visit for one hour, where the prison director can increase it when necessary.
- c- In urgent situations the prisoner is to be given a leave that does not exceed 48 hours notwithstanding travel duration, and a permit of this leave is to be issued by the Prison Authority Chief following an approval from the public prosecution, in which the time they spend outside prison is to be deducted from the duration of their sentence.

Section 3

Prisoners Sentenced to Death

Article (64)

Prisoners sentenced to death receive the same rations of clothes, blankets, and food as other prisoners.

Article (65)

When the prisoner sentenced to death leaves his solitary cell for any purpose, he must be handcuffed prior to leaving and it is not permitted to handcuff him whilst returning him into the cell unless he was reaching a level of desperation or dangerousness.

Article (66)

Four samples are to be taken from the prisoner after being sentenced to death, which is to be sent to a forensic laboratory for identity verification. The samples are to be returned to the prison for safekeeping and are referred to by the Prison Director or officer when ordering the execution, where these samples convey the execution, its date, and the prison that they are executed in. One of the samples is to be sent to the authority that issued the sentence. The remaining samples are to be sent to the Crime Investigation Department to complete its records, and the prison director is responsible verifying the identity of the prisoner sentenced to death when brought forth for the execution.

Article (67)

The guard of the prisoner sentenced to death must immediately notify the Prison Director or officer of any abnormal incident that occurs to the prisoner sentenced to death.

Article (68)

If the execution is to take place in prison, all internal functions of the prison must be seized and all other prisoners must be kept in their cells and must are not permitted to leave or to commence any work until the corpse is taken out of the prison.

Article (69)

Sufficient and adequate security must be assigned under the supervision of prison management to guard and watch the prisoner sentenced to death.

Article (70)

The following precautionary measures must be implemented when dealing with prisoners sentenced to death:

- 1- Not to permit the possession of flammable materials.
- 2- Not to permit the possession of any sharp object.
- 3- Provide food in plastic containers, and prohibit the use of metal and glassware.
- 4- Continuous verification of the safety of electrical wiring in the cells and its inaccessibility.

Article (71)

It is permitted to allow prisoners sentenced to death to access the interior yard of the prison for the purpose of taming them, and it is not to exceed an hour a day at times specified by the prison administration.

Article (72)

When the execution order is issued, the Minister along with the Prison Authority Chief must perform the following procedures before the execution:

- 1- Notify the public prosecution of the date, place and time of execution, that is (48 hours) prior to execution and to notify the relevant authorities to directly monitor and supervise the execution.
- 2- Arrange the required security measures to prevent general security disruption and carrying out the execution.

Article (73)

Considering the provisions of the article (35) of Prison Regulation No. (48) of the year 1991, the prisoners sentenced to death are allowed to:

1. If the religion of the prisoner sentenced to death imposes a specific ritual prior to execution, they are allowed, to the utmost, to perform it.
2. Facilitating the required measures to write a will if requested.
3. Allowing his relatives to visit one day prior to the execution date and the Prison Director is responsible for informing the family of the date of this visit.

Chapter 9

Violations and Punishment

Section 1

Violations

Article (73)

The prisoner is considered the perpetrator of a penalizing offence if he commits, tries, embarks on, or incites another to commit any of the following:

- 1- Disobeying orders.
- 2- Refusing to work, neglecting or derelictions in performance.
- 3- Presence without permission in a location other than the one allocated for his residence or work.
- 4- Possession of contraband.
- 5- Self-infliction of harm.
- 6- Pretention of insanity or illness.
- 7- Refusing medical check up or treatment.
- 8- Falsely proclaiming or accusing any prisoners
- 9- Abstaining or deliberately stating misleading answers to any question asked by prison staff or any other official visitors.
- 10- Escaping.
- 11- Stealing keys or copying them.

- 12- Destroying prison records or documents deliberately or making any alteration.
- 13- Possession of any weapon, dangerous article, flammable materials or toxic substances.
- 14- Deliberately setting fire in the prison.
- 15- Assaulting any prisoner through words, signs or threats, whether it causes harm or not.
- 16- Assaulting prison staff, official visitor or any others entering prison to perform job related duties through words, signs, threats or physical assault whether it causes harm or not
- 17- Obscenity of actions or language.
- 18- Vandalizing or destroying foods or drinks.
- 19- Unauthorized communication with any prisoner or a person unrelated to the prison.
- 20- Disobedience, collective anarchy, or incitement of such.
- 21- Purposely vandalizing prison property.
- 22- Receiving or sending letters in an unauthorized manner.
- 23- Abstaining from notifying an escape of a prisoner or attempt to escape, aiding an escape or aiding their attempt to escape or the agitation of any other.
- 24- Causing chaos, disturbance, or disruption of prison regulations and security.
- 25- Committing any crime in prison.

Section 2
Punishment

Article (74)

The specialized court's issuance/approval of punishments for crimes committed in prison are not to be precluded from issuing/approving administrative punishment outlined in this regulation.

Article (75)

Punishment of a prisoner is to be approved only after hearing his defense and verifying that he committed the violation, and accordingly the punishment issued is to be logged in the designated punishment record and the prison files in the allocated forms.

Article (76)

The issuance/approval of a punishment according to this regulation does not preclude the release of the prisoner on time whereby the order is issued automatically or the relevant authorities.

Article (77)

If a prisoner committed multiple violations simultaneously, they are to face maximum punishment.

Article (78)

Acts committed by a prisoner that amount to a crime according to the laws and punishment regulations are to be immediately reported to the relevant authorities.

Article (79)

The prison director must immediately notify the Prison Chief, the attorney general and the security director of prisoners held in outposts of any rebellion or disobediences.

Article (80)

Every prisoner that commits any violation stipulated in this regulation is to be punished on conviction of any of the following with the knowledge of the following authorities:

Type of Punishment	Authority Authorized to Issue Punishment
- Warning	The Prison Director
- Visitation deprivation for a period not exceeding twice a month	The Prison Director
- Deprivation of all or some privileges for a period not exceeding one month	The Prison Director
- Overtime work for a period not exceeding half a month	The Prison Director
- Solitary confinement for a period not exceeding half a month	The Prison Director
- Correspondence deprivation for a period not exceeding one month	The Prison Director
- Approval of any two of the above-mentioned penalties.	The Prison Director
- Approval of any three of the above mentioned penalties simultaneously	Prison Authority Chief
	Prison Authority Chief

Section 3

Escape

Article (81)

All tools, machines and equipment which may be used as dangerous weapons or to facilitate an escape such as portable ladders, construction materials, whitening substances and others are to be meticulously monitored when in use, and must be returned and kept after use in a permanently sealed location that is under constant thorough monitoring inaccessible to prisoners

Article (82)

When prisoners are assigned work outside prison, they must work in groups, and must be assigned adequate security

Article (83)

Sufficient and adequate security meticulously chosen must be appointed when transferring prisoners to and from courts, prosecutions, hospitals and others according to the need, taking into consideration the number of prisoners and the threat they pose, in addition, extra precautions are to be taken when transferring prisoners from one prison to another

Article (84)

Prisoners are not to be taken out of prison in severe storms, foggy conditions that obstruct visibility, heavy rain, and so on until weather conditions improve

Article (85)

If a prisoner escapes, the nearest outpost or police station must be immediately notified and updated of all the information and details related to their sentence, residency record, and description in addition to any other information that aid in their capture. Moreover, the respective prosecution and authority issuing their sentence must be notified and a sample must be sent to the Forensic Investigation Department as well as notifying the prison chief.

Article (86)

The Prison Director or Warden must regularly ensure the integrity of the prisoner housing structure, places of work, doors and windows, with specific regard to locations containing dangerous prisoners or those that pose a threat of escape.

Article (87)

The name of the escaping prisoner must be logged in the allocated record, and the Prison Director or Warden must follow up with the relevant security forces every three months until the fugitive is arrested and to log the numbers and correspondence leading up to the arrest in the same record.

Article (88)

The duration of escape is added to the imprisonment term from the day of escape. The imprisonment orders, implementation and all orders related to the prisoner are to be kept in their file that must be kept in a specific location.

Article (89)

The Prison Authority Chief is permitted to order prisoners susceptible to escape to wear specific uniforms or distinctive marks.

Chapter 10 **Special Release and Final Release**

Section1 **Special Release**

Article (90)

The Minister, based on the prison chief's report, reports to President of Republic a list of names of prisoners sentenced to liberty deprivation and whom are subject to the application of Article (104), that outlines their release in religious and national occasions in order to issue a release as he sees fit.

Article (91)

The Prison Directors of the different provinces must send to the Prison Authority Chief a list, which is to be received two months ahead the above-mentioned occasions for prisoners sentenced to liberty deprivation in provincial prisons and those whom are subject to the following conditions:

- 1- Prisoner sentenced to liberty deprivation for 15 years or more whose date of release is 8 months apart from the relevant occasion.
- 2- Prisoner sentenced liberty deprivation to 10 years or less, whose date of release is 6 months apart from the relevant occasion.
- 3- Prisoner sentenced to liberty deprivation for 4 years and less than 10 years, whose date of release is four months apart from the relevant occasion.
- 4- Prisoner sentenced to liberty deprivation for 1 year and less than 4 years, whose date of release is 2 months apart from the relevant occasion.

Article (92)

A committee is to be formed in every prison and is to be chaired by the Prison Director, with the membership of the social specialist and the Chief of the Vocational Training Committee. The committee is to review the prisoners' files that are eligible according to the conditions prescribed in the previous article and to recommend the release or its deprivation whilst clarifying the reasons for refusing to recommend a release stating the name of every prisoner, accordingly, the committee must notify the relevant provincial security of every prisoner recommended for a release.

Article (93)

The committee must make or withhold its recommendations according to the following rules:

1. The prisoner must be of good reputation and conduct during the prison term.
2. The prisoner must have benefited from the social and vocational rehabilitation programs
3. The period spent by the prisoner in prison must have been sufficient to reform and rehabilitate them
4. The prisoner must have fulfilled all financial obligations of the sentence
5. No threat to public security and possibility of crime pursuant to their release

Article (94)

Three copies of the recommendations of release must be sent, that include the names of the prisoners that are subject to the conditions outline in Article (106) of this regulation stating their name, their restraint number, crime committed, length of sentence, its start and end, source of judgment, the date in which three quarters of the imprisonment term have lapsed and number of prior convictions followed by any notes of the committee, if any.

Article (95)

A committee is to be formed comprising of the prison chief, representatives of the Minister of Justice, the Attorney-General and relevant security forces to screen the case of each prisoner that is subject to the above mentioned rules and regulations. The committee must then notify the Minister in a uniform consensus of the prisoner recommended for special release whilst clarifying the reasons from withholding their recommendation of others, stating the name of each respectively.

Article (96)

Prisoners are to be released only after the prison director receives an official notice from the Minister or the Prison Authority Chief based on the President of the Republic's decision.

Article (97)

The prisoner whom the President of the Republic grants special release is to be released in the morning of the occasion.

Article (98)

In compliance with the punitive measure regulations No. (13) of the year 1994, the Prison Authority Chief may notify the Attorney General of those eligible for conditional release and those whom the conditions apply to according to the law.

Section 2

Final Release

Article (99)

The prisoner held in precautionary detention must be immediately released at the end of their imprisonment term, or by a written order from the relevant prosecutor or authority issuing the detention order.

Article (100)

The prisoner must be released the morning that follows the completion of their respective sentence unless punitive regulation measures state otherwise.

Article (101)

This decree shall be effective from the date it is issued and shall be published in an official gazette.

**Issued by the Republican Presidency- Sana'a
13/July/1999**

Minister of Interior
Major General/
Hussein Mohammed Arab

Prime Minister
Dr. Abdul Kareem Ali
Al-Iryani

President of the Republic
Ali Abdullah Saleh



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Still in the midst of its post–Arab Spring political transition, Yemen faces serious security sector reform challenges, not least in its detention system. As this report documents, security is universally weak across central prisons, facilities are overcrowded, care is substandard, and guards are barely trained. Reforming the prison system needs to be at the core of any overall strategy for improving Yemen’s rule of law institutions. Despite the many challenges, however, small windows of opportunity for prison reform are emerging. Many, in fact, are well within reach. The chance to embrace change in this crucial period should not be missed.

Of Related Interest

- *Justice in Transition in Yemen: A Mapping of Local Justice Functioning in Ten Governorates in Yemen* by Erica Gaston with Nadwa al-Dawsari (Peaceworks, September 2014)
- *Dispute Resolution and Justice Provision in Yemen’s Transition* by Erica Gaston and Nadwa al-Dawsari (Special Report, April 2014)
- *Yemen in Transition: Between Fragmentation and Transformation* by Philip Barrett Holzapfel (Peaceworks, March 2014)
- *Process Lessons Learned in Yemen’s National Dialogue* by Erica Gaston (Special Report, February 2014)
- *Waiting for Change: The Impact of Transition on Local Justice and Security in Yemen* by Erica Gaston and Nadwa al-Dawsari (Peaceworks, April 2013)

