



YPC Policy Report

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Integrating Women's Security Interests into Police Reform in Yemen

SOME SUGGESTIONS FOR STRUCTURAL REFORM

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A YPC POLICY REPORT

By:

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ACRONYMS

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CSF	Central Security Forces
CSO	Central Statistical Organization
DK	Don't know
EU	European Union
FGM	Female Genital Mutilation
GBV	Gender-Based Violence
GIZ	Gesellschaft für Internationale Zusammenarbeit (German Development Agency), formerly
GTZ	Gesellschaft für Technische Zusammenarbeit
MoI	Ministry of Interior
YPC	Yemen Polling Center

INSTITUTIONAL BACKGROUND

The Yemen Polling Center is an independent non-governmental organization, which was established in 2004 and received its registration certificate No. 147 from the Ministry of Social Affairs & Labor in December 2005. As the first and only polling center in Yemen, YPC prides itself on providing the highest quality in social science research. Furthermore, YPC is the 2010 recipient of the Best Partner in the Middle East and North Africa award from Gallup International. YPC designs and performs opinion polls, surveys, and employs other methods in studies which serve the research needs of national and international institutions, non-profit organizations, corporations, government agencies, and professional associations.

YPC conducts public attitude surveys, focus groups, in-depth interviews, demographic studies, and market research employing both quantitative and qualitative methods for development projects, international organizations and foundations, publications, business groups, banks, and other stake-holders. It was founded by a group of dedicated professional journalists, academics, researchers and volunteers with strong ambitions to bring about progressive change in Yemen informed by social science of the highest international standards. As a member of both the World Association for Public Opinion Research and the American Association for Public Opinion Research, YPC remains committed to excellence in all aspects of social science.

YPC has a dedicated, well-experienced and qualified team. In addition, the Center cooperates with dozens of experts, consultants and university professors within Yemen and abroad. Out of the more than 2,000 field researchers the Center has examined and trained, YPC has selected about 500 enumerators throughout the country for its field research, fifty per cent of whom are female. Its experience, as well as its personnel and technical resources allow YPC to conduct surveys of any size throughout all of Yemen's governorates, while adhering to the most stringent international standards in data quality and insuring cost effective, timely studies.

Since its inception YPC has conducted and is currently conducting dozens of qualitative and quantitative research projects on a multitude of issues ranging from satellite television and radio consumption patterns and consumer attitudes, to human rights, women's rights, and political reform issues, to corruption, public health, and other governance related studies, among others. In addition to numerous successfully completed public opinion surveys and research projects, YPC has implemented several economic surveys and qualitative studies, covering all governorates in Yemen. YPC has surveyed more than 100,000 Yemeni citizens by face-to-face interviews.

YPC has wide experience in implementing internationally-funded projects. It has cooperated and thus far conducted dozens of projects with numerous international institutions including the European Union, Charney Research, the Center for International and Private Enterprises (CIPE), Danicom (Media Consultancy Company), Gallup International, the International Foundation for Election Systems (IFES), the Middle East Partnership Initiative (MEPI), the National Democratic Institute for International Affairs (NDI), the National Endowment for Democracy (NED), the Pan-Arab Research Center (PARC), the United States Agency for International Development (USAID), the Research Institute (London), the United Nations Development Program (UNDP), the University of Bonn, the University of Michigan, and the World Bank, among others.

BACKGROUND OF THE AUTHORS

Marie-Christine Heinze holds a master in Near and Middle Eastern Studies from the University of Bonn (Germany) as well as a master in Peace and Security Studies from the University of Hamburg (Germany). She is currently completing her PhD thesis focusing on Yemen in the Department of Social Anthropology at the University of Bielefeld (Germany). With more than ten years of experience working on Yemen and now a researcher at the University of Bonn on social and political change in Yemen, Marie has consulted YPC on a number of projects, including Yemen Parliament Watch and Security Sector Governance in Yemen of which this report is part. Currently, Marie and YPC co-implement the project 'Framing the Revolution in Yemen', which is funded by the German Volkswagen Foundation. Marie is the author of *Femininity and Public Space in Yemen* (in German, 2006) as well as of several papers on conflict and security in Yemen.

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Sarah Jamal Ahmed is a young Yemeni feminist, blogger, civic activist and sociologist whose main focus is on gender issues. Currently, she works for the Yemen Polling Center as a gender researcher. She is also a co-founder of "Support Yemen - Break the Silence" campaign (www.supportyemen.org), working as a PR coordinator, script writer and spokesperson in #Support Yemen's campaigns. She also worked as a freelance researcher on Yemen and gender issues and wrote papers for the Rosa-Luxemburg-Stiftung, the Berghof Research Center for Constructive Conflict Management as well as the Yemeni Observatory for Human Rights. She is also a UN-Women certified trainer in clinical sociological treatment of gender based violence.

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REPORT OBJECTIVE & RECOMMENDATIONS

This policy report has been completed with the assistance of a grant provided by the European Union (EU) through the European Instrument for Stability. Commissioned by the Yemen Polling Center (YPC) within the framework of its EU-funded project Security Governance in Yemen, it was written with several specific audiences in mind: The primary addressee is the Restructuring Committee for the Ministry of Interior (MoI). By directing this report towards the members of the Committee, we intend to assist them in their ongoing work of building a more secure future for the citizens of Yemen. Secondary addressees of this report are civil society organizations active in the field of security provision in general and women's security interests specifically as well as other national and international stakeholders taking an interest in these fields.

As its publishing coincides with the distribution of a manual of the Gesellschaft für Internationale Zusammenarbeit (GIZ) on police reform, which focuses on gender-based violence (GBV) and respective legal provisions, this report has been designed in such a way as not to duplicate, but rather to complement it. It therefore focuses specifically on structures, mechanisms, and procedures within the police sector believed to positively contribute to an enhancement of security provision for Yemeni women and girls. The report is based a) on extensive communication with national and international actors on the current obstacles to the provision of security to women as well as chances and necessities for reform of the police in this regard; b) on studies on GBV, security provision, and social values and attitudes in Yemen, and c) on international studies and reports on community policing, police reform, and gender in general.

General recommendations deriving from this report are listed below. More specific recommendations can be found in each chapter.

To the Restructuring Committee of the Ministry of Interior

- Employ a gender expert as part of your team.
- Establish a gender equality department in the MoI and give it a clear mandate, a clear structure, and adequate operational budget so that it can carry out its activities.
- Make sure a point of contact is nominated at the MoI's gender equality department to ensure communication between this department and civil society organizations.
- Make sure a point of contact is nominated at the MoI's gender equality department to ensure communication between this department and policewomen.
- Develop and support a code of conduct for the police forces that explicitly prohibits and sanctions gender-based violence (GBV).
- Include a training module on aspects of GBV and how to adequately deal with respective cases in the training program of the Police Academy.
- Recommend increasing the number of policewomen, particularly also those in officer ranks.
- Suggest establishing more women's police units in all governorates.
- Suggest building and maintaining more women's safe houses and shelter homes.
- Suggest the exclusive employment of women as guards in female prisons and detention centers as well as women's sections in general prisons.

- Train policewomen on the specific requirements of interviewing women, particularly also for the purpose of truth commissions in the upcoming process of transitional justice in Yemen.

To Civil Society Organizations

- Provide the Restructuring Committee of the MoI with all necessary information, recommendations, and support required to integrate women's security interests into police sector reform in Yemen.
- Provide the MoI's gender equality department with all necessary information, recommendations, and support required to integrate women's security interests into police sector reform in Yemen and continue to coordinate with its staff in the future.
- Observe and report on the implementation of recommendations of reform brought forward by the Restructuring Committee.
- Inform the public about the benefit of:
 - employing more women in the police;
 - safe houses and shelter homes;
 - the exclusive employment of women as guards in female detention centers etc.
- Continue advocating for a reform of the respective clauses in the Law of Evidence as well as the Criminal Code.
- Work towards the inclusion of pictures of working and educated women (particularly policewomen) in Yemeni schoolbooks so as to foster a positive image of policewomen in the country as well as the willingness of more families to let their daughters join the police.
- Raise awareness about women's specific security concerns and aim to foster a positive image of policewomen in the country through campaigns by various means.
- Make women's specific security concerns and the need for more trained policewomen a priority in the wider topic of women's issues within the National Dialogue.
- Continue advocating for social and cultural values that respect women's rights to physical integrity unconditionally. Seek to collaborate with state and non-state actors (e.g. imams, influential male and female personalities, teachers, etc.) to broaden your impact.

To the International Community

- Coordinate your efforts and agree on a common objective.
- Understand the specific requirements of Yemen in which in certain regions security provision is unlikely to rest in the hands of the state alone.
- On the basis of this understanding, assist the Yemeni government and the respective Restructuring Committees to reform the security sector in such a manner that non-state security actors can be included in local security provision within the framework of set rules and procedures.
- Advocate for and support efforts to tackle the issue of GBV in Yemen.
- Advocate for and support efforts to gender mainstream the Yemeni police forces.
- Support the training of policewomen on the specific requirements of working with women and interviewing them for the purpose of truth commissions within the process of transitional justice in Yemen.

1. APPROACH AND CONTEXT

Security threats faced by Yemeni citizens in the past as well as today are highly diverse, regionally varied and often dependent upon a person's sex, age, social background, level of income, and/or influence. Responses to security threats have accordingly been similarly varied and diverse. As the Yemeni state moves towards the building of a more professional, effective, responsive, and accountable police force while at the same time facing obstacles such as

- a lack of trust in the police due to past experiences in regard to corruption, ineffectiveness, and low human rights standards;
- a lack of training of police officers in the force;
- under-staffing of police stations in some areas and complete absence of the police in others; and
- insufficient facilities and equipment in most police departments,

it is important for the police to take local and regional security actors and securitization mechanisms into account in order to be as effective as possible in the provision of security to the citizens of Yemen. A responsive police that considers itself to be in the service of Yemen's citizens recognizes that the police can rarely solve public security problems alone, but needs to be in constant communication with the communities and respective stakeholders in addressing public safety problems. At the same time and particularly due to the strong distrust towards the police and the lack of confidence in its impartiality and respect for the rights of all citizens regardless of sex, age, social background, and level of income or influence¹, a successful reform of the police sector in Yemen and the building of a more professional police force can only be achieved if such cooperation with local actors takes place on the basis of clearly defined norms, values, and principles. These particularly refer to the adherence to the rule of law, protection of human rights, and transparency with respect to the activities of the various bodies of the police as well as the people within.

Moreover, the MoI, the Yemeni police forces, and other security structures (shelter homes or prisons) require restructuring in such a way to adequately complement each other in their functions and services. As this report is directed towards the Restructuring Committee of the MoI, it will focus primarily on the desiderata of structural reform. It is our argument here, however, that a better provision of security services by the Yemeni police also rests on the education of police officers as well as all other persons on GBV and the right to physical integrity of women and girls.

¹ A representative nation-wide survey conducted by YPC in November and December 2012 on perceptions of the security sector by the Yemeni public found that 16.4% of respondents believed that the police treat the elderly very unfairly and 16.9% believed the police treat them a little unfairly. While more respondents thus answered that they thought the police treat the elderly a little fairly (34.5%) or very fairly (12.5%; don't know (DK): 19.7%), the fact that 33.3% held a negative opinion about the police's treatment of elderly people is still significant. The police's treatment of poor members of society is viewed even more negatively with 42% of respondents stating that they believed the police treat the poor very unfairly and 20.9% believing that they treat them a little unfairly (a little fairly: 17.2%, very fairly: 4.8%; DK: 15.1%). The survey targeted 2000 respondents in all governorates of Yemen (actual sample: 1990 respondents) who were interviewed in face to face interviews in Arabic (Yemeni dialects) from November 7 to 18, 2012. In sampling, 200 sampling points were distributed proportional to population size in each of Yemen's 21 governorates. Sampling points then were distributed to randomly selected sub-districts within provinces, also proportionate to population size; and lastly to randomly selected mahallas (the smallest administrative unit in Yemen) within those sub-districts, by simple random sampling. Half the sampling points were designated for male interviews, half for female interviews. Female respondents were interviewed only by female interviewers. Households were selected using a random walk method and respondents were selected within households by Kish grid.

All actors involved need to bear in mind the fact that not every family in Yemen takes care of its female members the way it ought to and that there are women who would like to seek help from outside their families if they were given the chance and had someone to turn to. This report is based on the conviction that it is the duty of the Yemeni state and particularly the Yemeni police forces to provide women and girls with the necessary opportunities to be able to seek help if needed.

2. SECURITY THREATS AGAINST WOMEN AND GIRLS IN YEMEN

Women and girls, just like men and boys, may be subject to violence as a result of political or tribal conflict, criminality such as robbery, or accidents as a result of careless handling of weapons or reckless driving, to name but a few. Other than men, however, women and girls may also be victims of violence perpetrated against them by men in abuse of women's lack of physical strength or in abuse of social norms.² This type of violence, which may occur in the public as well as in the private space, is referred to as GBV as it is perpetrated because women are women and girls are girls and because society gives them roles that are different from those of men.³ Types of GBV against women and girls in Yemen include early marriage, domestic violence, female genital mutilation (FGM), (attempted) rape, and harassment in public. As the legal basis to counter early marriage and FGM is currently missing in Yemen⁴, these two issues will not be addressed here.

In January 2013, the Yemen Times reported that Yemeni women are frequently subjected to sexual harassment on the streets, markets, as well as in their work environment: "A report released by the youth-led Safe Streets Initiative for Combating Harassment in Yemen, reveals that most sexual harassment happens on the streets. The report says 90 percent of Yemeni women are exposed to sexual harassment in one form or another. It indicates that the issue is so widespread that even female political activists are subject to harassments inside their political parties. [...] In the initiative's study, Sana'a ranked first as the city with most newly reported harassment cases of rape, inappropriate touching and verbal harassment. The study indicates that instances occur regularly. Taiz and Aden were ranked second. Incidents of rape have become increasingly common in Sana'a. One of the most notorious incidents concerned a girl who died in May due to injuries induced by the rape. The victim is referred to as 'the girl of A'asir', in reference to the place where the crime occurred. The rapist were identified by eyewitnesses, but were never brought to court" (al-Muraqab 2012).

Harassment of women on the streets, whether verbal or physical, occurs frequently in Yemen, particularly when women walk about without a *mahram*.⁵ Such harassment can cause psychological traumas among those harassed and can prevent women from taking part in society.

- 2 Abuses in the latter case are, amongst others, those instances in which men exploit the belief that women are not safe in the public context without a mahram as an excuse for assaulting such women.
- 3 Accordingly, gender-based violence can also refer to violence perpetrated against men or boys such as sexual harassment or rape. For example, according to the Statistical Yearbook of the Central Statistical Organization (CSO) from 2007, 83 of the 105 registered victims of rape in Yemen were male. But GBV in relation to men and boys can also refer to the fact that it is mostly male members of a society who fall victim to gun violence as most if not all societies worldwide send men into combat rather than women.
- 4 The carrying out of FGM as procedure has, however, been banned from all medical facilities in 2001 by ministerial decree. Moreover, Yemen has ratified various international conventions condemning FGM, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC). Nonetheless, according to the Second Shadow Report on CEDAW by Yemeni NGOs (2007, p. 26), for example, "this phenomenon is still at large. It requires direct community based awareness campaigns through media and education facilities besides field awareness activities."
- 5 According to a report published by Oxfam, 90% of a study on random interviewees (110 women) of inhabitants in Hadda, an elite neighborhood, and (Bab?) Shu'ub, an ordinary, low-income neighborhood, in Sana'a (and 30 men from different neighborhoods) were subjected to street harassments, including abusive words, throwing stones, beating by hand or stick, and attempted abduction (Oxfam 2010, p. 14).

Particularly in rural areas, women often have to leave the house on their own to be able to take care of the fields or the household's livestock, or to go buy food if all male adult members of the household are absent—often in search for work in urban areas. In order to allow women to take care of their families and to participate in society, therefore, an environment is required that allows women to go about their business in the public space without fear of being harassed in a verbal or physical manner.

In the current humanitarian crisis in Yemen, several national and international observers working in humanitarian relief in the countryside have observed that some women preferred to starve their children and themselves to death rather than leave the house in search for food when the male adult member of the household was absent or unable to accompany them. In some regions of Yemen, the humanitarian crisis was not caused by an unavailability of food, but by the inability of starving families to access the food available and this was not only due to financial constraints: In some cases, men had left their families behind to go in search for food while the women remained behind with their children. Unable to leave the village for the next food distribution center due to social norms as well as security concerns, the situation of these families was worsened.

Next to verbal and physical harassment (the latter referring to the touching, pinching, hitting or kicking of women), of course, rape or the attempt of raping by strangers is a danger increasingly faced by women and girls in Yemen, particularly with the breakdown of security since the upheavals of 2011. Data on such violence against women and girls in Yemen is hard to attain, particularly as most cases of physical and sexual abuse are never reported to the police for social reasons specified in section 3. According to the *Statistical Yearbook* of the Central Statistical Organization (CSO) from 2009, therefore, only 176 cases of rape were registered nation-wide in that year and 91 cases of attempted rape. The governorate of al-Hudaida was on top of the list in both types of crimes with 51 and 35 cases registered respectively, whereas not a single case in either category was registered in the governorates of Rayma and al-Jawf. This discrepancy is not due to better security for women or higher morals in Rayma and al-Jawf than al-Hudaida, but is rather a matter of what is reported and registered.⁶

Accordingly, YPC's recent survey on perceptions of the security sector by the Yemeni public (see footnote 1) found that more than 40% of female respondents in al-Jawf and Marib, more than 20% in al-Mahweet, more than 10% in Shabwa, and more than 5% in Sana'a City felt very unsafe walking along in their area during the day. Walking alone during their area at night was more worrisome to female respondents of the survey, with more than 80% in al-Jawf, Shabwa, and Sana'a City (!) stating that they felt very unsafe doing so (more than 60% in Sa'da, and more than 50% in Lahj, Marib, and al-Rayma). Staying home alone particularly worried women in al-Mahra, al-Jawf, and Marib with 40% of female respondents stating that they felt very unsafe doing so.

⁶ This observation is supported by similar patterns from the Statistical Yearbook of 2007, according to which only 125 cases of rape were registered nation-wide in that year and only 79 cases of attempted rape. Again, the governorate of al-Hudaida headed the list in both types of crimes with 41 and 40 cases registered respectively and not a single case in either category was registered in the governorates of Rayma and al-Jawf. Moreover, these numbers are contradicted within the same Yearbook as later on there are reported to have been only 105 victims of rape and only 57 victims of attempted rape. That the rape or attempted rape of a woman is even less seldom reported than that of a man is moreover supported by the fact that of the 105 registered victims of rape in 2007, 83 were male and 22 were female (attempted rape victims 2007: 36 male victims and 21 female). Likewise, in 2009, 119 of the 154 [sic!] registered rape victims were male and 35 were female (attempted rape victims 2009: 49 male and 16 female).

Chart 1: How safe do you feel walking alone in this area during the day? female respondents only, per governorate

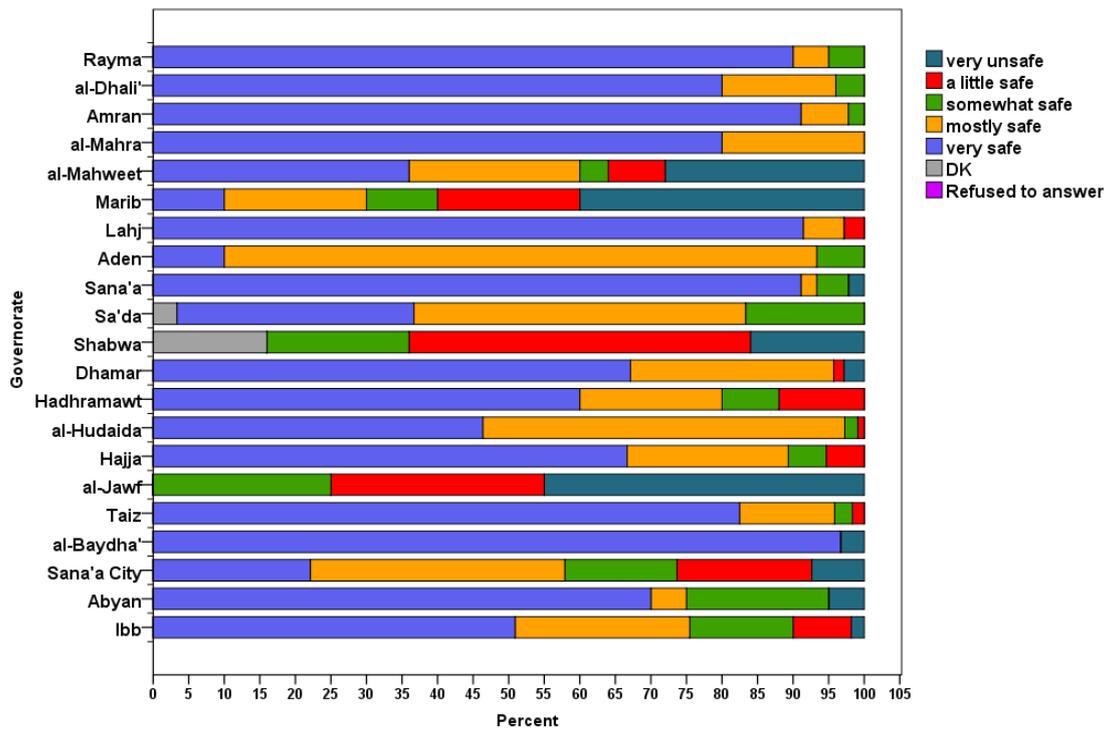


Chart 2: How safe do you feel walking alone in this area at night? female respondents only, per governorate

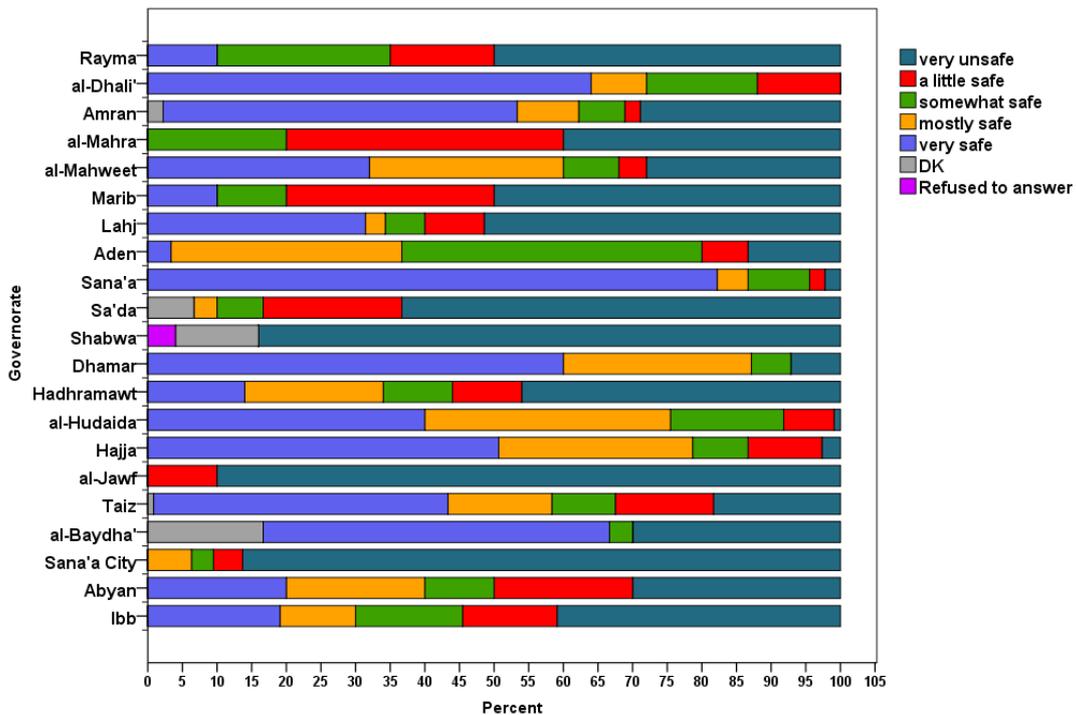
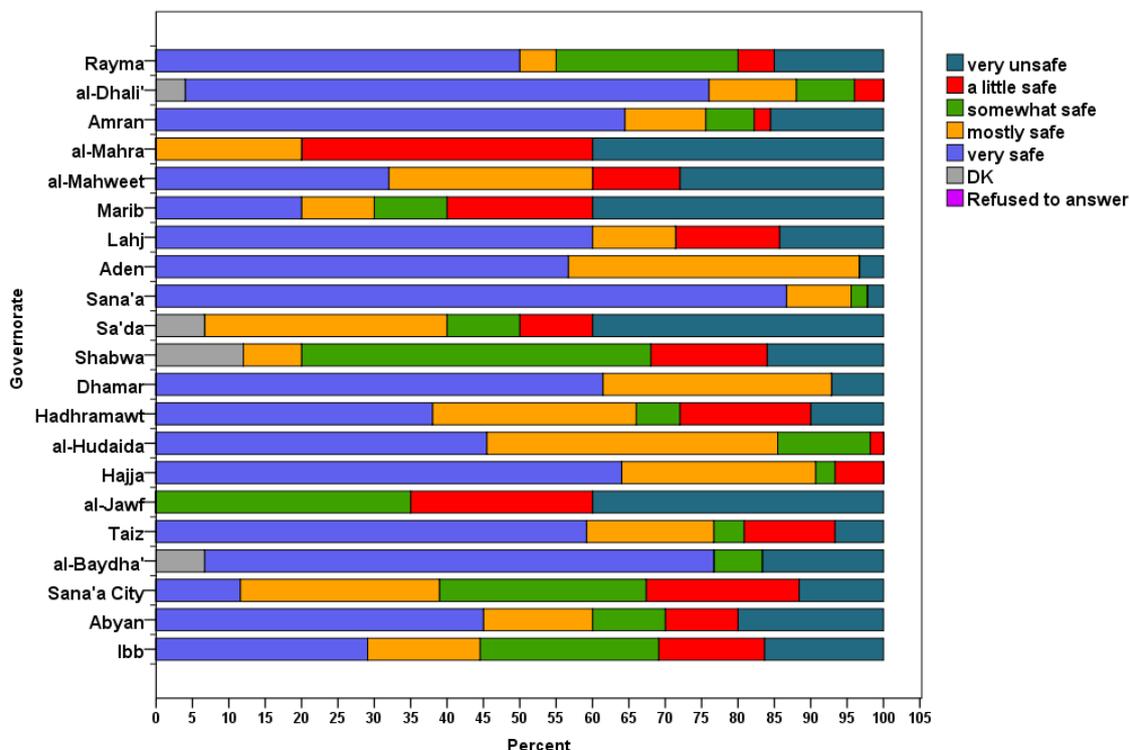


Chart 3: How safe do you feel staying alone at home after dark? female respondents only, per governorate



Most cases of rape and sexual abuse go unreported because the victims and their families are too ashamed (with society often putting blame on the girls (see section 3). Other women, particularly those without male relatives to take care of the issue, are also too ashamed to go to the next police station to report the issue, fearing that they might not be taken seriously by the policemen or even be accused of having brought about the situation themselves. More women departments in police stations nation-wide would offer a solution to this obstacle as the female victims could then report directly to female policewomen. Moreover, the training of policemen and policewomen (as well as judges and prosecutors) on such sensible issues is a matter of great importance (on this topic see the GIZ manual).

Apart from street harassment as well as sexual assault and rape by strangers, violence against women more commonly takes place in the private space and is thus removed from the control of the public eye. A study on gender-based violence in Yemeni society, conducted by the Universities of Aden and Sanaa in 2010 and based on experiences by Yemeni boys and girls as described to them in interviews and focus groups, many of which take place within the family, differentiates between the following three forms of violence (Sana'a University - Center for Gender Research, Studies and Development, Aden University - Centre for Women Research and Training 2010, pp. 66, 67):

- Physical violence: beating by hands and sticks, kicking, slapping and using weapons,
- Psychological violence: dismissal, telephonic harassments, inappropriate talks, cursing, insulting, threatening, deprivation from the exercising of one's rights, underestimating, flirting, reproofing in public, reprimanding, deprivation from going outdoors, yelling, forced marriage, early marriage, taking the dowry of women, deprivation of giving opinions, confiscating inheritance, deprivation of education;
- Sexual violence: harassment, raping, touching a woman's breasts, and sexual abuse

Even though the area surrounding the new Sana'a University campus, which became *Change Square* during the 2011 uprisings, has always been a place where women in general and college students in particular have had to deal with sexual harassment on a daily basis, the first three months of the uprising saw this place turn into a safe environment for women. *Change Square* community was not segregated and welcomed women in an impressive manner so that the number of women in the Square sometimes exceeded the number of men. They all protested alongside. However, Saleh's speech on April 15th 2011 condemning the protesting of men and women side by side for religious and moral reasons was supported by some of those anti-government protesters who are affiliated with the Islah Party. Using Salih's arguments as a justification, they beat up female activists on April 16th, 2011 when these refused to go on gender-segregated marches. Moreover, with Islah's growing power on *Change Square* supported also by the presence of the First Armored Division, the Islah-affiliated Organizational Committee made sure gatherings around the Square's stage were segregated by building a fence separating men from women. Also, the Committee harassed activists who held mixed activities and protests in the Square. As a result, the normality of men and women's joint participation in the protests vanished gradually and sexual harassment began to reappear in the vicinity in May 2011. Fanatic speeches subsequently held on the Square created an adverse atmosphere for women's participation, who subsequently started to attend Friday demonstrations and the most important marches only in order to avoid harassment. Moreover, armed conflict taking place in the areas surrounding *Change Square* in Sana'a from September 18th until November 2011 made the protesting environment too hostile for women, particularly also as many soldiers from the First Armored Division, who were not used to seeing women protesting, verbally harassed these from time to time.

Not all of the above-mentioned grievances can be addressed by the police, of course, particularly as long as a legal basis for action is lacking (see section 3). Many of these issues—for example under-estimating, dismissal, or deprivation of education—are a matter of cultural values that require debate and education and cannot be addressed by the state. Things are different, however, what the physical integrity of Yemeni citizens (male or female) is concerned, which is very much a matter of police concern. Just because domestic violence often remains unobserved

doesn't mean that violence against women does not leave the physical and psychological traumas as does violence experienced by men. Even more so, because violence against women and girls often takes place in the private space of house and home and because it is often committed by male family members, psychological traumas can go much deeper as the victims of such violence lose trust in the safe haven that home and family ought to be. Moreover, many women in Yemen have no possibility of escaping this situation. As Mohammed Ba Obaid has pointed out in a study on violence against women in Yemen,

“[m]any families cannot afford to feed and meet the financial costs of supporting a returning daughter and her children. At the same time, women can expect little protection from the police. Cultural constraints prevent women from seeking help from government institutions. In Yemen, the husband and male relatives make decisions on what women may or may not do, and on what is deemed proper or improper. For example, a woman is often told whether or when she may leave the house. The lack of personal control over their own social movements means that women are unable to report violence and, thus, the problem remains largely hidden. The silence surrounding this abuse is exacerbated by the fact that violence against women in marriage is perceived as ‘normal’ by large portions of Yemeni society” (Ba Obaid 2006, p. 162).

On July 25, 2009, the Yemen Observer reported the following: K.M.H., a marginalized girl, 8, was living in al-Odun, Al-Kema district, when she was raped by a rich and powerful person with influence over local authorities, referred to as “Sheikh M.D.” “Sheikh M.D. came to our home every night and threatened that he would confiscate all of our possessions under the pretext that we are marginalized, and we have no rights to live freely,” the mother expressed. The mother went on to say, “We went to the police station to complain about his constant intimidation, but no one would help us. When he knew that we went to the police station he threatened us by saying he would rape my youngest daughter.” The mother concluded, “One day, while my daughter was walking alone on her path in our village, Sheikh M.D. took advantage of the fact that she was alone and raped her in complete disregard of any morals. When she fought back, he broke her neck and choked her to death.” She kept on saying, “no one will punish him, and nobody wants to protect us. He raped and killed my daughter. Moreover, he is walking around freely and living his life as if nothing ever happened” (al-Selwi 2009) .

Violence against girls and women can moreover be compounded by security threats based on other factors such as ethnicity, religious orientation, and professional and educational background, etc. For example in Yemen, female members of marginalized social categories such as the *muhammasheen* (particularly the ‘akhdam’, an endogamous community generally believed by other Yemenis to be ‘of African origin’ that is subject to strong discrimination) face a high threat of sexual harassment, rape, and human trafficking as the perpetrators know that their crimes against such women will generally go unpunished both from society as well as from the state. Similarly, refugee women are highly vulnerable to these same security threats as they are often left without protection of their family, home state, and their host state Yemen. Because the *muhammasheen* as well as refugees and maids from abroad (who are often subjected to physical abuse and sexual harassment/rape by their employers) are not considered Yemeni, police in the past have often refused to come to their assistance.

Accordingly, in YPC's recent nation-wide survey on the public's perceptions of the security sector in, 40% of respondents believed that the police treat members of marginalized groups very unfairly and another 19.4% believed that the police treat them a little unfairly (a little fairly: 12.1%, very fairly: 3.3%; DK: 25.2%). Likewise, 21.9% of respondents believed the police treat refugees very unfairly and another 15.8% thought that the police treat them a little unfairly (a little fairly: 10.8%, very fairly: 5.1%; DK: 46.5%).⁷ As the responsibility of the provision of security extends to everyone present on Yemeni soil, training for policemen and policewomen also needs to include sensitization for matters pertaining to social discrimination such as questions of race, religious orientation, professional status, or income.

⁷ In contrast, foreigners who are not refugees are believed by 32.8% to be treated very fairly and by 16.8% a little fairly (very unfairly: 4.2%, a little unfairly: 2.9%; DK: 43.3%), pointing to a general belief by the public that the Yemeni police apply double standards when it comes to treating different categories of people. See also Fn. 1.

3. OBSTACLES TO INTEGRATING WOMEN'S SECURITY CONCERNS INTO POLICE WORK IN YEMEN

The obstacles of reforming the police in such a manner that it is responsive to women's and girl's security concerns are particularly high in Yemen for several reasons:

Firstly, there are certain provisions in Yemeni law as well as in the constitution that differentiate between women's rights and men's rights and by doing so potentially endanger the security of women, either because their evidence does not count as much as that of men, because their lives and physical integrity are not considered of the same value as that of men, or because regulations open the possibility of arbitrary arrests of women. This particularly pertains to⁸

Art. 31 and 41 of the Constitution: In 1994, these replaced Art. 27 of the 1991 Constitution according to which "[a]ll citizens are equal before the law and are equal in public rights and duties without discrimination on grounds of gender, color or ethnic origin, language, profession, social status or creed." In contrast, current Art. 31 states that "[w]omen are the sisters of men and have rights and duties guaranteed and assigned by Islamic principles and prescribed by law" while Art. 41 stipulates that "all citizens are equal in public rights and duties." Discrimination on grounds of gender is thus no longer prohibited, but has entered the Constitution by making women the sisters of men only and opening further paths to a curbing of their rights on the basis of Islamic principles.

Art. 42 of the *Criminal Code* (12/1994), according to which the financial compensation owed to the family of a murdered or wrongfully killed woman [dīya] is half the amount owed to the family of a male victim. Also, the compensation [arsh] owed to a woman who has been permanently injured is only for the first third the same as that for an injured man (compensation is staggered in thirds according to severity of the wound). For wounds that are compensated with more than a third, the *arsh* owed to a woman is only half of what is owed to a man.⁹

Art. 232 of the *Criminal Code*, according to which a husband who kills his wife and her adulterous partner upon witnessing them in the act of adultery is only subject to fines or up to one year in prison. This rather mild punishment, obviously not intended to deter such action, also applies to killings committed by men who find a female relative of first or second degree in an adulterous situation.

Art. 273 of the *Criminal Code*, according to which 'shameful' or 'immoral' acts are criminalized; these are loosely defined as "any act that violates public discipline or public decency, including nudity or exposing oneself." According to Art. 274, violations of Art. 273 are punishable by fines to be set by the judge or up to six months in prison. The terms 'public discipline' and 'public decency' are left to the interpretation of police officers and judges, and are usually subject to local customs and traditions. Consequently, women and girls have been detained simply for being seen alone with men who are not their relatives. Women of marginalized groups [muhammasheen], such as the *akhdām* or refugees of Somali or Ethiopian origin, are more likely to be detained or arbitrarily arrested on such grounds. This clause has also reportedly been invoked to arrest female human rights activists.

⁸ The following list and analysis is based, amongst others, on al-Zwaini (2012, pp. 88–89).

⁹ In contrast to Yemen, other countries like Tunisia have followed the opinions of current Islamic scholars such as Yusuf al-Qaradawi and Mustafa az-Zirqa to make woman equal to men in the payment of compensations.

Whereas, according to the *Statistical Yearbook* of the Central Statistical Organization (CSO) from 2007, only 125 cases of rape were registered nation-wide in that year and only 79 cases of attempted rape, 165 cases of “open misbehaviour with female” were registered, most of them in the urban areas (Aden: 48, al-Hudaida: 38, and Sana’a City: 59). In August 2012, the Commander of the Walking Police, Abdulghani al-Wajeeh commented on Art. 273 of the Criminal Code, stating that “it is essential to re-word the law to include strict procedures because the 1,000 riyals fine doesn’t deter anyone and the risk of six-month imprisonment isn’t taken seriously. The security situation in the country [...] makes it difficult to combat this phenomenon. He said family, schools, civil society organizations and mosques have to play a role in ending harassment instead of concentrating on politics. Although the law is still waiting for discussion in the parliament drawers, the police have visions and strategies to implement the meaning of community police so that society takes part and oversees” (al-Ariqi 2012).

Secondly, certain cultural and religious norms and values call the right of women and girls to safety from physical harm into question and impede the prosecution of violators of women’s security. These norms and values are generally accepted by Yemeni society, including policemen and policewomen, and accordingly make it difficult to argue for the right of women and girls to physical integrity. Amongst others, these norms and values

- see the man as protector of his family—and sometimes also of his tribe and other vulnerable persons living on this tribe’s territory. Women are *hurma* [sacrosanct, forbidden, prohibited]—a term that is often used synonymously with *zawja* [wife]—, which means that women are both inviolable and in need of protection. Men must therefore protect and defend their women if their personal honor is not to be infringed. In line with the common Yemeni saying that “the man is the foreign minister of a family and the woman the interior minister”, men are not only expected to ensure the safety of the women of their family, but also to resolve matters (through available mechanisms) if the physical security of a female family member has been harmed.¹⁰
- see the woman not only as ‘weak’ in regard to physical power, but also in regard to mental strength. They are considered to be subject to their ‘natural drives’ and thus to lack the moral discipline and rationality men are believed to be endowed with. At the same time and because a woman’s body is perceived to be a much greater focus of sexual attraction than a man’s, to women is attributed the capacity of creating *fitna* [temptation, enchantment, disorder] (Bruck 1996, p. 149). For both reasons, women are considered to be in need of control by men, who must guide and discipline them in order to prevent them from straying from the path of chastity and moral integrity. Such disciplining can and does also take place by means of force and the violation of women’s and girl’s physical integrity, including FGM, beating, biting, burning up to (attempted) murder.¹¹ According to a study conducted by Ishraq Ahmed al-Eryani in 2007 most crimes committed against women in Yemen are related to issues of honor (al-Eryani 2007, p. 118).

¹⁰ Security of women is therefore a direct concern for men not only because their personal honor and that of their family is at stake, but also because the violation of the physical security of a female family member can result in violent conflict among men when the available means of conflict resolution fail or are not adhered to.

¹¹ See (Sana’a University - Center for Gender Research, Studies and Development, Aden University - Centre for Women Research and Training 2010). It ought to be noted here that boys, too, are subjected to physical violence by their parents and other adult relatives in violation of the rights of children to physical integrity.

These perceptions result in the fact a Yemeni woman has very limited room for participation or individual freedom in the family as well as in society, “as she is strictly subjected to various forms of guardianship [wilāya] by her male relatives. This system of guardianship deeply affects most life matters, such as her physical mobility, choice in marriage, access to education, jobs, and healthcare, interactions with ‘strangers’ (such as police, judges, doctors), physical integrity (early marriage, domestic violence, female genital mutilation), economic independence, possibility to attain decision-making positions, and so forth” (al-Zwaini 2012, p. 87).

Perceptions of women's role in society are also a direct result of education in Yemeni schools. The country's basic education curriculum has gone through several rounds of alterations since unification in 1990 and one of the most obvious changes made was the image of women in general and justifications for GBV in specific. For instance, Arabic reading books that are taught from an early age on emphasize the image of women, especially mothers, as housewives only. Examples of working women are always limited to teaching and nursing while other examples on jobs occupied by men are not limited at all. Moreover, the Qur'an Interpretation book of grade 12 justifies domestic violence and lists degrees of what is acceptable and what is not regarding physical violence against wives.

A study conducted by Ba Obaid in 1994 demonstrated that 94% of interviewed policemen showed empathy for men who used violence against a female relative (Ba Obaid 2006, p. 164). And al-Eryani reports that policemen refer to articles 267 (adultery) and 270 (violation of honor) “for practicing corruption and embezzlement, though some of them are not even acquainted with the texts of these articles and act based on personal judgment, cultural, and traditional provisions or inherit these practices from the previous jobholders without relying on legal texts. One of the female health workers said that ‘policemen consider all women as indecent... therefore they need to be educated by all possible means about women's rights. If there is a strict law, nobody would impinge upon the others, but unfortunately the policemen consider themselves as power which has the right to do anything’ (Sharjabi 2005)” (al-Eryani 2007, p. 119).

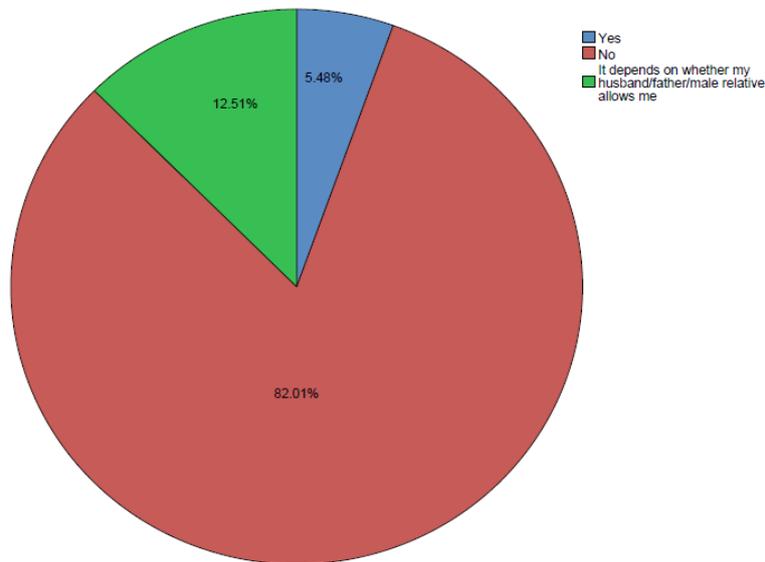
Together, these factors impact greatly on questions of security provision and policing and do so in both ways. On the one hand, women are unable to raise matters of violence or threats thereof with the police as such violence is either considered ‘normal’ and legitimate and/or a matter to be resolved within the family. Moreover, restrictions on the freedom of movement of women and on their interaction with men (as most members of the police continue to be men) impede their ability to report matters to the police even if they wanted to.

On the other hand, policemen continue to believe that violence against women and girls that takes place within the family is a matter of that family and therefore not for them to get involved in.¹² Moreover, women who have dared to raise matters of domestic violence, sexual harassment, or even rape at police stations report that they were not taken seriously but rather accused of bringing about the situation themselves by engaging in immoral behavior. The provision of security to women and girls is therefore severely obstructed by the norms and values governing Yemeni society.

According to YPC's recent representative nation-wide survey on *Public Perceptions of the Security Sector Police Work in Yemen*, therefore, 82% of female respondents stated that they would not report a crime alone at a police station while only 5.48% replied positively and 12.51% said that this would depend on whether their husband/father/male relative allowed it. When asked, however, whether they would report a crime alone if there was a women's unit in the police station closes to their home, the number of positive responses by female interviewees increased significantly to 44.37%, while the number of those who said 'no' decreased to 38.16%. 17.47% would report the crime alone to a women's unit if their husband/father/male relative allowed it. Male responses to the same question correlated with the above findings: When asked whether they would allow their wives, daughters, or other female relatives to report a crime alone, 92.16% of male respondents replied negatively, while only 7.84% said 'yes'. When asked, however, whether they would allow their wives, daughters, or other female relatives to report a crime alone if their was a women's unit in the police station closest to their home, the number of positive responses increased to 47.68%, while the number of men who continued to reject this idea decreased to 52.32%.

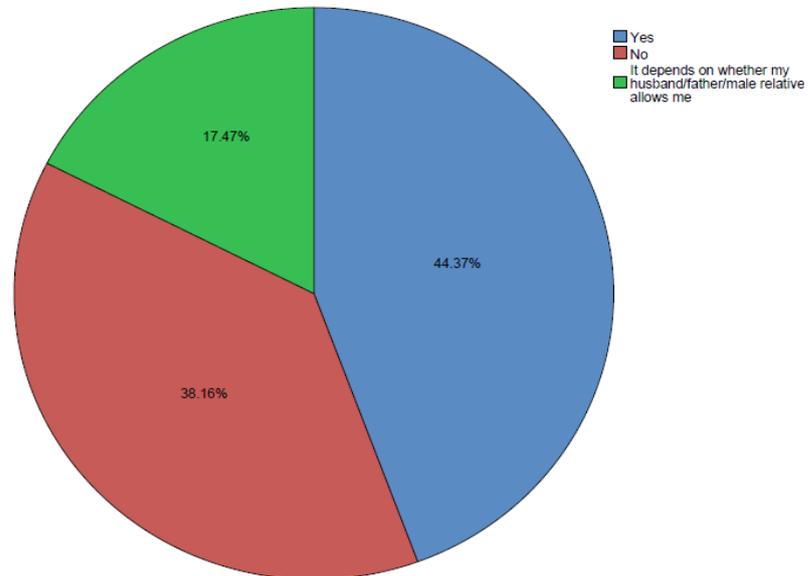
Chart 4: Benefits of women's units in police stations to women's security

Would you report a crime alone (female respondents only)?

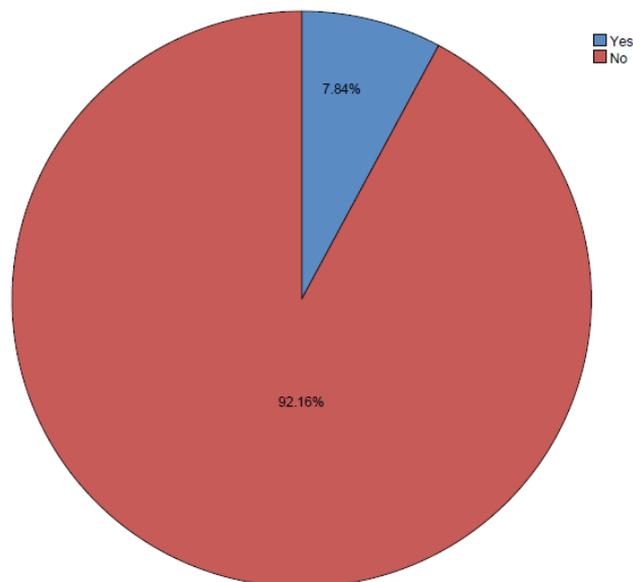


¹² The perception of the Yemeni public in regard to the police's treatment of women in general is accordingly rather mixed, reflecting the many different social, cultural, structural, and legal questions that come into play in regard to this issue: 13.5% of respondents believed the police treat women very unfairly; 14.1% believed they treat them a little unfairly; 34% thought they treat them a little fairly; and according to 12.9% they treat them very fairly. 25.4%, i.e. more than a quarter of all respondents, didn't know, probably also because a large number of respondents (48.22%) stated that the police was not active in their area at all, thus lacking direct experience with this institution.

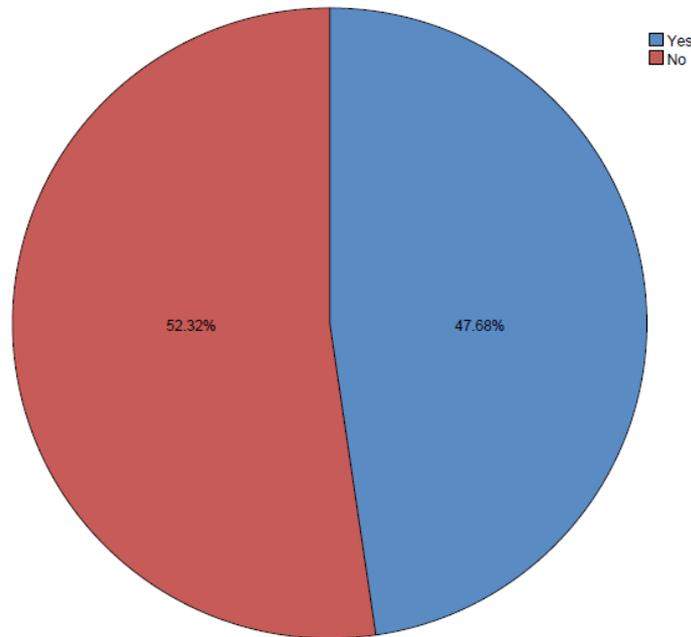
Would you report a crime alone if there was a women's unit in the police station closest to your home (female respondents only)?



Would you allow your wife, daughter, or female relative to report a crime alone (male respondents only)?



Would you allow your wife, daughter, or female relative to report a crime alone if there was a women's unit in the police station closest to your home (male respondents only)?



Thirdly, as the following chapters will show, the Yemeni state has so far failed to provide the necessary structures for enhancing the security of women and girls, most likely also due to the norms and values shared by Yemeni society as explained above. Policemen and policewomen are not adequately trained on their duties in regard to human rights issues and GBV. There are not sufficient policewomen to staff police stations and most stations are not adequately equipped to host female police officers. Moreover, there are not enough women's houses to provide shelter for women and children who try to escape the violence of their husbands or relatives, the staff of the existing shelters is not adequately trained, and none of these shelter homes are financed by the state. Last but certainly not least, there are no separate prisons (apart from one in Hajja, which is led by untrained personnel) to accommodate female prisoners and their children.

In order for the Yemeni police to reorganize itself in such a way that it meets the highest standards of police work, therefore, it has to be reformed in such a manner that it is willing and able to protect women and girls just as it is willing to protect men and boys. Community policing that brings policemen and policewomen in close exchange with the local community they work to protect, more women in police stations, safe houses for women and their children, and better prison conditions for women are all issues the Restructuring Committee of the MoI can address in its reform work to achieve its aim of building a modern police force.

4. CATERING TO WOMEN'S SECURITY CONCERNS THROUGH COMMUNITY POLICING

Community policing refers to the idea that local security issues can best be prevented or resolved if the local police follows certain strategies that include the building of partnerships with the local community.¹³ Such a building of partnerships does not, however, refer to giving the influential persons in a community the say over policing issues and over the security interests of ordinary men and women. Nor does it refer to giving influential personalities in the local community a position in the security forces. Rather, it refers to engaging in dialogue with all members of the community, whether poor or rich, to gather information on the security concerns of the community and thus to a) establish an atmosphere of trust in the impartiality and responsiveness of the police and b) to develop solutions to security problems in collaboration with those concerned. Relevant stakeholders that can be engaged in such collaborations are thus not only *shaykhs*, *imams*, or other *wujahā'* or *kuramā'*, i.e. influential, socially visible men in the community, but also the *'āqil* of an *akhdām* neighborhood, a young man influential among his peers, male and female members of civil society or religious organizations active in the area, businessmen, journalists, or women known to be respected among the female members of an area. Moreover, members of the police on the local level can also partner with other government institutions in the area to identify community concerns and offer alternative solutions, such as the courts and the *niyāba*, health services, schools, etc.

Partners Yemen is the local branch of a Washington-based non-governmental organization, Partners. This local branch is only staffed by Yemenis and works on issues of peaceful conflict resolution and management as well as women's empowerment. According to Nadwa al-Dawsari, former head of Partners Yemen and now MENA representative at the Washington office, working on the local level in Marib, al-Jawf, Shabwa, al-Bayda', and Ibb has shown Partners that a "lack of communication, mistrust, and competition for resources create hostile environments" (Sidahmed 2010). In many instances, therefore, conflict could be prevented if more communication took place. Community policing can thus contribute to the prevention of conflict by gathering information from actors concerned and working towards conflict resolution or containment before things turn violent.

Community policing that also intends to cater to the security interests of women and girls thus clearly necessitates the presence of female police officers in the respective community. In line with the strategies of community policing as addressed above, these female police officers should not remain passively stationed in the police centers and wait for people to come to them, but instead should reach out to female members of the community by, for example,

- visiting schools to speak to girls and boys;
- visiting *akhdām* or refugee neighborhoods to understand the nature of insecurity for women in these areas;
- visiting markets where women work as vendors;

¹³ This section on community policing is partially based on U.S. Department of Justice (2012).

- visiting female afternoon gatherings, weddings, and other festivities where women gather in order to gain an understanding of the main concerns the women of the community face.

By doing so, with time these female police officers will

- gain the trust of female members of all communities in the area, young and old and of various social backgrounds;
- learn to understand the nature of insecurities faced by women of different ages and social backgrounds in the community;
- learn to understand which women and girls in the community face the greatest risks and dangers and thus become able to actively work towards making their world more secure;
- be able to engage in collaborative problem-solving in which those concerned can make suggestions and take on an active role instead of receiving orders from outside.

In towns and cities, such community policing activities will not be hard to carry out. Yemen's highly diverse geography, however, means that many villages and settlements cannot each be equipped with a police station of its own. Rather, police centers will be need to be situated in the bigger villages or centers of the area. Given the norms and values of Yemeni society as addressed above, which limit the movement of female members of society, many girls and women living in the scattered settlements and villages of the Yemeni highlands will accordingly face great difficulties getting into touch with the police. If a police center, therefore, is responsible for a larger area that covers a number of such settlements, policewomen (as well as policemen) need to visit these settlements to engage with the respective inhabitants. Such visits should take place at regular intervals depending on the size of the area a police center covers. Two policewomen and two policemen could always make such trips together—not only because this makes it easier for the policewomen to travel, but also because male and female members of the police might need to provide each other assistance in the resolution of an issue, particularly when both male and female members of the community are involved. While on such visits, the police center as well as the women department of the police center never ought to remain unstaffed so that contact persons are always available when a man or woman comes to the center to seek help.

In order for women to be able to contribute to community policing and in order to cater to the security of women and girls on the local level, therefore, we suggest that the Restructuring Committee of the Ministry of Interior:

- Suggest the employment and training of more policewomen;
- Suggest the building and equipping police stations and centers in such a manner that separate facilities for women's departments can be housed, incl. separate restrooms, separate entrances for women, separate cells for women in detention, etc.;

 - Where the re-building of an existing police station to contain a separate department for women is not feasible, the building of a separate, women-only police state should be taken into consideration;
 - Central police stations in every governorate should be the first to be addressed by such measures with smaller stations and centers being tackled successively;

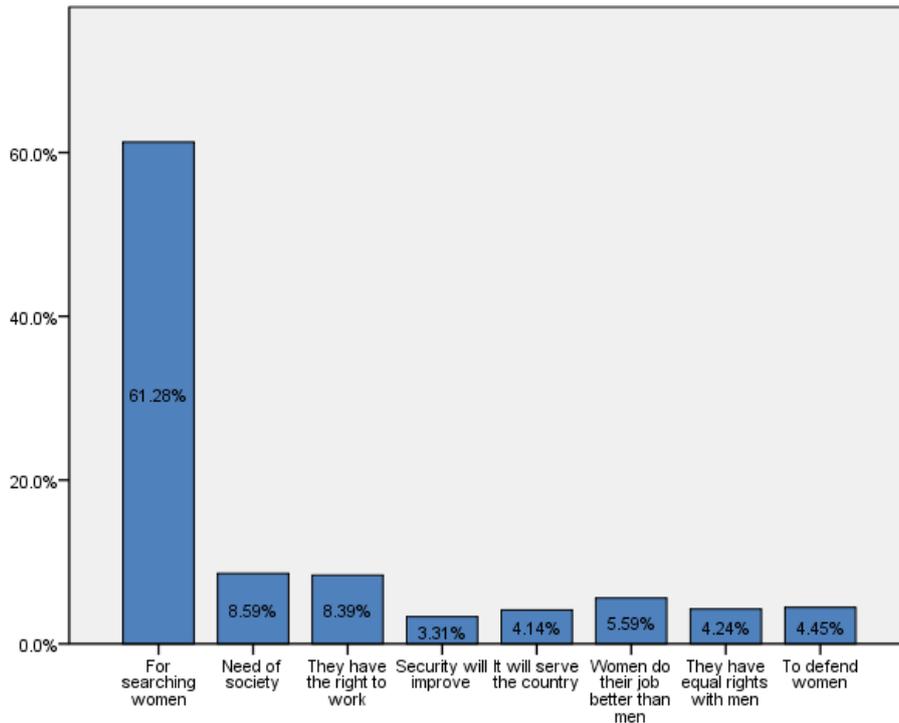
- Suggest the restructuring, staffing, and funding of the women's department in the MoI in such a manner that it can coordinate and supervise these efforts in collaboration with other MoI departments.

5. EMPLOYING MORE WOMEN IN THE POLICE FORCE

According to a recent report of the Restructuring Committee for the MoI (Mārīsh 2012), there are currently 2,868 women in the Yemeni police forces (in contrast to 168,996 men). Women thus make up only 1.7 percent of Yemeni police staff. Out of these, only 108 hold the rank of an officer while all others are either ordinary “soldiers” [junūd] or “noncommissioned officers” [saff dhubbāt]. No woman can be found in the rank of major general [liwā’] or brigadier [‘amīd], but there are 25 colonels [‘aqīd], 8 lieutenant colonels [muqaddam], 30 in the rank of major [rā’id], one in the rank of a captain [naqīb], and 44 lieutenants [mulāzim] (2 in the rank of mulāzim awwal [first lieutenant] and 42 in the rank of mulāzim thānī [lieutenant]).

So far, many policewomen have been employed in order to work in Yemen’s counter-terrorism efforts by providing Yemeni security forces with the ability of searching women at checkpoints, at home, or elsewhere. In accordance with this main line of work of policewomen in Yemen so far and respective images portrayed in Yemeni media, almost 60% of all those respondents in YPC’s recent survey on *Public Perceptions of the Security Sector and Police Work in Yemen* who stated that they support the idea of having female police officers (51.64%) explained this preference with the belief that female members of the police were needed “for searching women”.

Chart 5: Why do you support the idea of having female police officers in Yemen?



This is indeed an important asset of having women in the police, not only in regard to combating terrorism and preventing attacks, but also in regard to providing security from armed attacks unrelated to Islamist violence. In the course of the research for this report, for example, several judges complained to the author about the inability of the police to provide adequate security to court buildings. First of all, they were unable to identify women, who were present as defendants or claimants; and secondly, it has—on several occasions—happened that a) these women were either armed and threatened the judges or even shot at the other party, or b) that men were dressed up as women to seek revenge within the court building.

Next to performing above-mentioned tasks, however, the hiring of more policewomen is also required in order for the state to be able to adequately fulfill the norm stipulated in Art. 158 of Law No. 15 (2000) on Police Authority, according to which all issues relating to women ought to be taken care of by women in the police force. This provision has been further specified by Cabinet Resolution No. 146 of 2007, according to which the article refers to the following tasks:

- Conducting interrogations with women detained at police stations;
- Inspection of women at places where specific precautions are taken such as airports and other venues in the Republic of Yemen;
- Receiving of convicted women of penalties which deprive them of their freedoms en route to prisons;
- Guarding of female prisoners, supervising and monitoring their behavior;
- Taking of necessary measures to uncooperative female prisoners and those who break prison regulations;
- Any other tasks assigned to the police authority and required by the nature of their work.

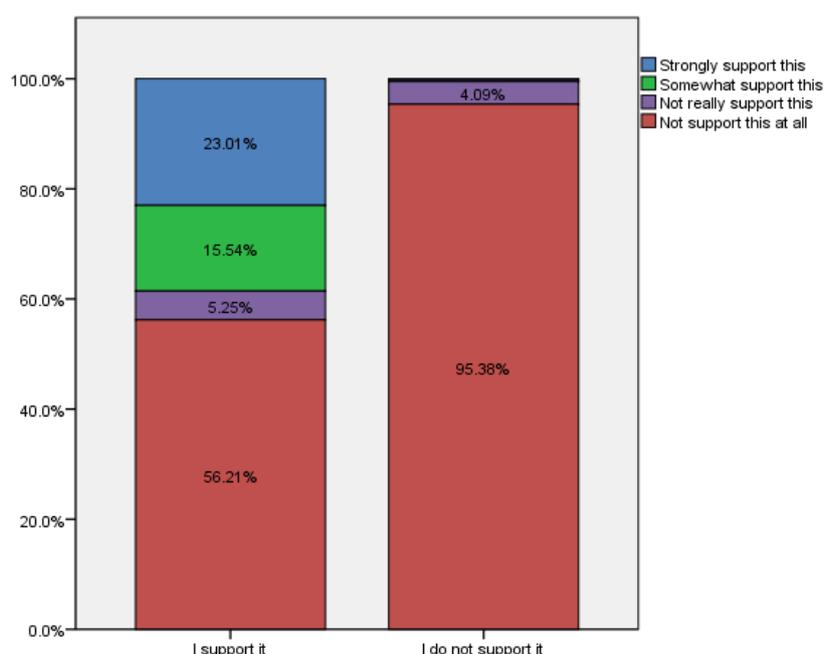
The modernization of the National Police Force of Nicaragua demonstrates the beneficial impact of initiatives to taking women's issues into account and increasing the participation of women. A broad range of gender reforms of the Nicaraguan police were initiated in the 1990s, following pressure from the Nicaraguan women's movement and from women within the police. As part of a project backed by the German development organization (GIZ), specific initiatives were undertaken including a) training modules on GBV within the police academies; b) women's police stations; c) reform of recruitment criteria including female-specific physical training and the adaptation of height and physical exercise requirements for women; d) transparent promotion requirements; e) family-friendly human resource policies; f) establishment of a consultative forum for discussion and investigation into the working conditions of female officers. Today, 26% of Nicaraguan police officers are women, the highest proportion of female police officers of any police force in the world. Nicaragua's police service has been described as the most 'women-friendly' in the region, and is hailed for its successful initiatives to address sexual violence. Nicaragua's modernization program has set an example for other state institutions, and a number of police forces in the region are seeking to replicate it. The reforms have helped the police gain legitimacy and credibility in the eyes of the general public: in a recent 'image ranking' of Nicaraguan institutions the police came in second, far ahead of the Catholic Church. (Source: Valasek 2008, p. 5)

Given the many incidents of sexual assault on the Squares in 2011 and the upcoming process of transitional justice in Yemen, moreover, specifically trained policewomen will also be needed to interview women with respective experiences.

And last but not least, as already argued above, women in the police force are required to cater to the specific security interests of women and girls, allowing female members of society to speak to female police officers on any type of security concern. That female police officers are important for women and girls to be able to take their security concerns into their own hands is shown by the answers of female and male respondents in YPC's recent survey on public perceptions of the security sector in Yemen in regard to reporting a crime alone (see previous section). The presence of female police officers in police stations as well as on patrol would open new paths for women in Yemen to counter GBV.

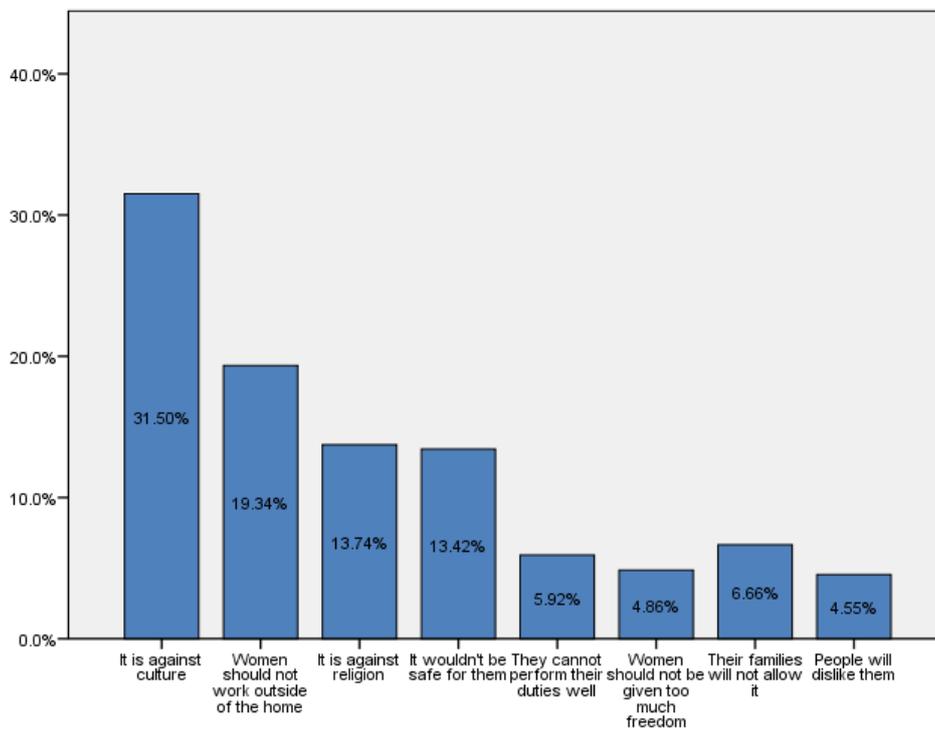
The employment of women in the Yemeni police force so far has experienced obstacles of different nature. Next to the lack of special equipment and facilities for women in training and on the job, the lack of willingness to recruit more women, and the high drop-out rate of policewomen once they get married and have children, prejudices of society towards women in the police force pose an impediment to the recruitment of more women: Whereas a majority of Yemenis do support the idea of employing more women in the police forces, there seems to be a general reluctance to see one's own female relative to become involved. Accordingly, 64% of male respondents and 54.7% of female respondents stated that they would strongly support it if a male member of their family wanted to join the police, while only 8.4% of male respondents and 15.5% of female respondents would support this choice if the family member was female.

Chart 6: Of those who generally support the idea of having female police officers in Yemen, 56.21% would not support a female relative joining the police.



We attribute this disinclination mainly to social norms and values in regard to gender roles already addressed above. In line with these, 30.41% of the 48.36% of respondents who said that they do not support the idea of having female officers in the police force stated that this was “against culture” while another 18.67% stated that “women should not work outside of home”, and 13.27% believed it was “against religion”. These general attitudes show that an increased recruitment of women into the police force must go hand in hand with campaigns to educate society on the benefits of female police officers. Such campaigns could be conducted in cooperation with the media and civil society organizations.

Chart 7: Why do you not support the idea of having female police officers in Yemen?



We therefore suggest the following strategies to counter these obstacles:

Countering prejudices of society towards women in the police force and attracting more women

- Add a provision to Law No. 15 of the year 2000 on the Police Authority which upholds the equal rights of men and women and guarantees non-discriminatory promotion based on professional skill, experience, performance, and service time;
- Employ women only and those with adequate skills in the Gender Equality Department of the MoI;
 - Make it its duty to create an equal opportunity plan for women in the police forces in collaboration with the respective police units as well as the police training centers, including the Police College;
 - Make it its duty to conduct research and hold regular meetings with policewomen to gather information and experiences, on the basis of which it will prepare regular reports on the status of women in the police forces, including problems and recommendations for change;
 - Make it its duty to regularly consult with staff of Shelter Homes and prisons where women are detained as well as members of civil society active in the field of women's security, on the basis of which it will prepare regular reports, including problems and recommendations for change;
- Establish a network of women's focal points at unit level;
- Establish a mentoring system in which more experienced female police officers provide assistance and advise to new female recruits;
- Develop and carry out an awareness campaign in partnership with Yemeni media and non-governmental organizations to educate society about the benefits of having women in the police forces;
- Train policemen and policewomen how to counter stereotypes towards policewomen when raised by Yemeni citizens.

Providing female police officers with the necessary equipment and facilities to be able to carry out their job

- Make sure that uniforms for women are available;
- Provide policewomen with weapons adequate for the size of female hands and the limited physical strength of women;
- Provide separate housing facilities for policewomen in training;
- Re-build existing police stations in such a manner that they offer separate offices and separate hygienic facilities for the female officers as well as a separate entrance for local women wishing to speak to policewomen only; if existing police stations cannot be rebuild, build separate facilities for women police units.

Providing female police officers with the working conditions to be able to combine work and family

- In collaboration with the Women's Department of the MoI and the Committee on Women in the Yemeni Police (once established), develop and continue to reform and enhance the working conditions for policewomen in such a manner that it will allow them to continue their work after the birth of a child or to return to police work at a later stage in their lives so that the training of women for the police forces will not be wasted. Such provisions should pertain to, amongst others, maternity leave, making

part-time work available, providing child care for female police officers, and providing the possibility to flexibly schedule work shifts to allow for dealing with arising family situations such as the illness of a child.

Moreover and in line with this report's suggestions in regard to community policing, it is important to create incentives for women to go to the rural areas to staff the police centers there. One such strategy could be to encourage married couples to both join the police force and then station them together in the respective areas.

Developing the Yemeni family police?

In the framework of the restructuring of the police forces in Yemen, the development of the family police according to the Jordanian model has been discussed. The general notion is that such a family police will serve to provide a haven of security for the family in general and women in particular. However, if not associated with constitutional and legal reforms followed by judicial amendments, the introduction of such an institution may harm women more than protect and support them. Particularly the Jordanian model of family police exemplifies the harm such an institution can do if not based on the right provisions: Here, family police primarily serves to "preserve the institution of family", which in multiple cases has prioritized the return of women, who had been beaten by their husbands, to their families over their protection and the prosecution of the perpetrators.

For the family police to actually serve the security interests of women and girls, the amendment of legal provisions discriminating against them as well as the introduction of provisions criminalizing GBV and safeguarding the security interests of women and girls are of the utmost importance. In regard to the Penal Code, this particularly pertains to Art. 232, which provides that a man who murders or injures his wife or her partner having caught them committing adultery should receive a maximum prison sentence of one year or a fine, thus giving a green light for murder. In regard to the Personal Status Law, this includes the necessity to amend Art. 15 in regard to the minimum age of marriage, Art. 23 on women's consent to marriage, and Art. 40 and 41 on the marital duties of husband and wife.

6. SAFE HOUSES & SHELTER HOMES FOR VICTIMS OF DOMESTIC VIOLENCE

A safe house is a service intended to provide short-term protective accommodation on an emergency crisis-intervention basis to women (and their children) and girls who seek protection from domestic violence and who cannot find such protection—for various reasons—within their own families. As women (and their children) and girls may hide there from abusive spouses and/or parents, safe houses do not typically rely on police protection, but rather on the secrecy of their location. They may have security systems and very strict rules regarding contact with outsiders in order to keep all people sheltered there protected. Only a few people who might be in contact with women who are abused know the safe house's location. This might include medical personnel, social workers and police officers.

A safe house ought to be a safe and supportive environment where women and girls can meet their basic physical needs (e.g., food, warmth, shelter, hygiene), and which offers them opportunities to review their past and address their social needs to effectively make positive changes in their lives. Women who access safe house services must want such protection, but are free to leave whenever they want.

Shelter homes, in contrast, provide longer-term accommodation a) to women from safe houses who have been unable or unwilling to return to their home communities and/or to women and juvenile girls who have either been convicted and passed directly on to the shelter home or who been released from prison and have not been able to return to their home communities.

The Yemeni network for fighting violence against women (SHIMA network) consists of 17 civil society organizations and the Women National Committee (WNC). The founding members of the network were as follows:

- The Women's National Committee (WNC) in Sana'a;
- The Yemeni Women's Union, initially with branches in Aden and Abyan, to which were added branches in Taiz, al-Hudayda and Sana'a City;
- The Yemeni Mental Health Association in Aden;
- The Civil Society Forum in Sana'a;
- The Human Rights Information and Training Centre in Taiz;
- The Sisters' Arab Forum for Human Rights in Sana'a;
- The Women's Affairs Support Centre in Sana'a City;
- The Women's Forum for Research and Training in Taiz;
- The Yemeni Girl Guides Association in Sana'a City;
- The Yemeni Scout Association in Sana'a City.

In 2002, the Sisters' Arab Forum for Human Rights and the Women's Forum for Research and Training withdrew from the SHIMA network. In 2003, the Gender and Development Studies Centre at Sana'a University, which conducted an in-depth field study of early marriage in the Hadhramawt and al-Hudayda governorates, joined the network, as did the Ibhara Foundation for Childhood, the Arab Organization for Human Rights, the Young Leaders Foundation and the Arab Foundation for Women and Adolescents and the Social Care House for Women.

The purpose of safe houses and shelter homes is thus to:

- Protect women from imminent harm;
- Assist women and girls to identify immediate and longer term safety, care and support needs;
- Assist women and girls to return to their home communities if possible and they wish to do so; and,
- Connect women and girls to professionals, agencies and organizations that can assist them with issues and needs such as justice, violence, victim services, mental and physical health, homelessness, poverty, sexual abuse/exploitation, employment, education, and income assistance in order to be able to build a future for themselves and their children.

Safe house and shelter home staff accordingly needs to be adequately trained to provide victims of domestic violence with the necessary help and advice in order to help them cope with the abuse suffered as well as to either safely re-integrate them into their home communities or to build an independent life of their own. Moreover, safe houses and shelter homes need to be integrated in a network of various services that includes police (who refer women and girls in immediate danger to safe houses etc.), doctors and psychologists, lawyers, as well as educational facilities.

A study conducted for GIZ (then GTZ) by Assad & Burow (2010) in four shelter homes in Yemen¹⁴ found that:

- All Homes cooperated efficiently with the Ministry of Education in providing the sheltered women and girls with literacy courses;
- All Homes included counseling service among their offers to the beneficiary women and girls, although some had to rely on less reliable volunteers;
- Most of the homes suffered from a lack of regular reliable income and were therefore in danger of having to shut down due to financial limitations, thus having to leave the women they sheltered unprotected;
- Vocational training offered to the beneficiary women and girls included sewing, hairdressing, cooking, netting, and embroidery, but did not go beyond these limited offers, which were moreover on a low qualitative level;
- No shelter home had established follow-up mechanisms for the post-shelter period;
- There was only weak or no communication among the shelter homes themselves;
- There is an obvious absence of an umbrella or reference body for all shelter homes activity in Yemen with responsibilities in regard to coordination, supervision, reporting etc., thus affecting the low quality of services and the homes' efficiency;
- There is a lack of trust of the security bodies that are authorized to transfer arrested/accused women and girls as well as those exposed to violence in the shelter homes as well as a lack of information on the shelters' role, mandate, responsibilities, capacities, and target groups;
- There is a lack of awareness among local communities, media, private sector and governmental bodies on the concept and goals of the shelters in Yemen;

14 Dar al-Amal, Dar al-Mustaqbal, Women Training & Rehabilitation Center, and Dar al-Eghata.

- There is a lack of real understanding among shelter homes' staff in regard to the concept and methods of beneficiary women's and girls' re-integration into their communities or households.

We accordingly recommend that the Restructuring Committee of the MoI:

- Suggest the establishment of a sub-department in the Gender Equality Department of the MoI for the coordination, support, and supervision of safe houses and shelter homes in Yemen. In more detail, such a person should:
 - Build a network of safe houses and shelter homes in all governorates of Yemen;
 - Develop and supervise the implementation of guidelines, standards, and norms for safe houses and shelter homes in Yemen in regard to operational planning, services delivery, health and security issues, the general treatment of beneficiary women and girls, as well as follow-ups with former beneficiaries;
 - Develop and offer capacity-building training for existing and future safe houses and shelter homes staff;
 - Coordinate with other Ministries involved in the provision of services to beneficiary women and girls, such as the Ministry of Health, the Ministry of Education, and the Ministry of Social Affairs and Labor;
 - Cooperate with the police, and particularly police women, as well as the Yemeni Women's Union in providing information about the role and purpose of such homes, their target groups, as well as contact details;
 - Cooperate with prison staff, particularly that of women's prisons or women's sections in prisons, in providing information about the role and purpose of such homes, their target groups, as well as contact details;
 - Cooperate with journalists and civil society in order to raise awareness in society about the concept and goals of safe houses and shelter homes in Yemen;
- Suggest to provide this department as well as all safe houses and shelter homes with adequate funding to be able to securely provide services to beneficiary women and girls.
- Include lessons on the purpose, goals, and target groups of safe houses and shelter homes in the training of police officers (male and female) in Yemen.

7. ENHANCING CONDITIONS AND PROSPECTS FOR FEMALE PRISON INMATES

In general, but particularly in rural areas, prisons in Yemen are overcrowded, with poor sanitary conditions, inadequate food, beds, blankets, ventilation, and water supplies, and inadequate medical care. There are also no healthcare facilities for pregnant prison inmates. Female prisoners are moreover detained together with suspected but non-convicted women and all are deprived of contact with the outside world through the denial of magazines, newspapers, radio, and television. In some cases prison authorities reportedly extract bribes from prisoners to obtain privileges.

According to the Second Shadow Report on CEDAW of Yemeni NGOs (2007, p. 28), “Ms. Anisa Al Shuaibi was detained near her house on 12 midnight along with her 6 years old son and 5 years old niece. They were detained at CID detention in Sana’a from 6 November 2003 till 25 January 2004. She was accused of murdering her ex-husband and released on bail. Ms. Al Shuaibi was not informed of her crime when she was detained, neither was she allowed contacting a lawyer or her relatives; she was totally isolated from the world. She alleged that she was tortured and humiliated and was detained in a filthy and cold prison. On 25 January 2005 the prosecutor announced that she was charged on unsubstantial ground, as there were no crime committed after confirming her ex-husband’s existence, and ordered her release.”

Moreover—and in violation of Art. 158 of Law No. 15 (2000) on Police Authority, according to which all issues relating to women ought to be taken care of by women in the security forces (see above)—there are no female guards in female prisons or detention centers, except at the Hajja Detention Center.¹⁵ Accordingly, at times, female prisoners are subjected to sexual harassment, violent interrogation, and rape by male police and prison officials, particularly as many female prisoners are abandoned by their families due to the social stigma associated with their imprisonment and thus have no-one to defend their rights once violated.

Despite the fact that Art. 28 of the Prisons Law prohibits the accompaniment of children over the age of 2 with women prisoners (except if there are no trusted relatives who can take care of them), female offenders’ children are often incarcerated with them. These often go without adequate food, medicine, clothing, and bedding and receive little or no supervision, care, or education. The latter particularly is in violation of Art. 29 of Cabinet Resolution No. 251 of 2007 (on approval to the proposal to amend law No. 48 of 1991 on Prison Organization), according to which required measures must be applied to establish day centers where children, who are allowed to stay with their mothers in a prison facility, will be cared for.

Considered social outcasts, women convicts are rarely accepted back into the family fold after serving prison terms. Local tradition requires male relatives of female prisoners to arrange for their release.

¹⁵ In Sana’a prison, a female civilian, who lives with her family in a small apartment right on the entrance to the women’s section, oversees the activities of the male guards of that section.

Authorities regularly hold female prisoners in jail after the end of their sentences if male relatives refuse to authorize their release, a practice that occurs because of the shame associated with the return of an imprisoned female family member or because families are unable to pay the “blood money” resulting from a court judgment. Such women often have no other choice than to remain in prison, as they know of no alternative means of earning their own income and livelihood. Shelter homes are a solution to this problem.

We accordingly recommend that the Restructuring Committee of the MoI, in collaboration with the Department of Public Prosecutions, which has overall responsibility for overseeing and inspecting prisons:

- Suggest the improvement and subsequent inspection of living conditions of female prisoners and their children at regular intervals;
- Suggest the provision of free legal support to poor female prison inmates;
- Suggest the exclusive employment of women as guards in female detention centers as well as women's sections in general prisons in line with Art. 158 of Law No. 15 (2000) on Police Authority;
- Suggest the training of such female guards (as well as male guards as long they continue to guard female prisoners) on the rights of female prisoners¹⁶ and their children as well as on the role and purpose of shelter homes, their target groups, as well as contact details;
- As long as it is impossible to provide an adequate number of female guards at female detention centers, follow the model of Sana'a prison (see Fn. 16);
- Suggest the establishment of day centers where children, who are allowed to stay with their mothers in a prison facility, will be cared for and educated;
- Suggest the creation of detention facilities for women who are under investigation to avoid sending them to women prisons prior to conviction;
- Suggest the establishment of a sub-department to the Gender Equality Department in the MoI to coordinate, inspect, and supervise the continuous implementation of these recommendations;
- Develop and recommend effective complaint procedures for both male and female detention centers that allow prisoners to address abuse by prison guards:
 - It should be possible to make complaints to same-sex officials, e.g. ombudsmen for male prisoners and ombudswomen for female prisoners;
 - It should be possible to make complaints confidentially;
 - Prisoners must be protected from reprisals for complaining and there must be no punishment for complaints that cannot be proven or are deemed “false and malicious”;
 - Make the existence of a complaint system known to all prisoners;
 - Ensure easy access to the complaint system, for example through regular visits of ombudsmen and ombudswomen to the respective prisons.¹⁷

¹⁶ See also, for example, Law No. 26 (2003) articulating the amendment of Art. 27 in Law No. 48 (1991) about prisons regulations, according to which imprisoned pregnant women should be provided with adequate health and medical care before, during and after delivery according to instructions of a competent authority and the international charter. Concerned authority must provide the pregnant or nursing inmates with specified nutrition, and in all cases women of these categories are excused from disciplinary measures as per this article.

¹⁷ These recommendations are partially based on International Centre for Prison Studies (2008, pp. 5–7).

- Suggest the cooperation with national and international CSOs in monitoring the standards in detention centers for women to:
 - Assist in the provision of services to prisoners, such as support to women needing counseling or other help to recover from abuse, training for women so that they can find employment on release, friendship and support to children with no families, as well as bringing aid such as medicines to women, children and other vulnerable prisoners;
 - Monitor and draw attention to gender issues in the penal system;
 - Contribute to the capacity-building of penal system staff as well as other human rights, anti-discrimination and penal reform groups;
 - Raise awareness of the public, parliamentarians and oversight bodies of the need for policy changes and specific measures to address discrimination and poor treatment in prisons;
 - Audit the penal system for gender awareness and advise on appropriate policy responses;¹⁸
- Suggest the cooperation with journalists to cover prison conditions for women (and men) and to thus raise awareness in both society and government about the necessity to bring about change.

¹⁸ These recommendations are partially based on International Centre for Prison Studies (2008, p. 13).

8. CONCLUSION

Yemen, as has often been observed by both Yemenis and outside academics who have studied the country extensively, has a society that creates its own modernity. Yemeni society may be conservative in the way that it allocates traditional roles of household responsibility and child care to women, but at the same time Yemen has a political history of following women leaders (amongst them those women followed by both men and women during the upheavals of 2011, e.g. Tawakkul Karman), a history of women fighters both in North and South (e.g. the famous Do'ra of the Southern revolution against British occupation), a cultural history of men and women openly interacting in public space (e.g. mixed dances during weddings in the past as well as the natural co-existence on Change Square until it was politicized), and a legal history of gender equality in both North and South. This is a strong foundation to build upon future efforts for making women and girls in Yemen more secure. Social values that perceive women and girls as in need of special protection can be used to push forward the recruitment of more women into the police forces, the institutionalization of women's units in police centers, the establishment of more shelter homes, and the guarding of female prisoners by female guards only.

As much as it is impossible not to notice the major role Yemeni women have played in politics and the public space not only in 2011 but throughout history, however, it is also important to remember that there are Yemeni women who live with abuse and violence without even knowing that what they face is a violation of their fundamental human rights. The absence of legislation that protects women in both the private and the public space as well as the fact that the security interests of women are perceived to be a matter of the family rather than the state stand in the way of any progress Yemeni women may aspire to achieve regarding their health, education, socio-economic status, and their partnership with men in building a new state that grants citizenship and social justice for all. Finally, a state with a police that makes women's security interests a primary concern will come to be perceived as a state that can grant justice to society as a whole, thus regaining legitimacy lost in previous years.

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