

Juvenile Justice in Yemen

The Reality of Criminal Justice and
Institutional Reform Requirements

2026 - 2014



Cover Artwork A Shackle on Childhood's Innocence

A dramatic contrast between black and white, blending the symbolism of sharp lines with the depth of human mystery. This painting embodies a defining moment of violation and stripping of rights. With sharp black lines and a stark black-and-white contrast, two small hands emerge, bound by oversized shackles that dwarf the innocence of childhood. They are surrounded by an ambiguous ring of shadowy entities.

These enveloping forms-coiled around a child isolated from the world- reflect the failure of procedural environments to consider the juvenile's age. Through a visual style steeped in mystery, the artwork conveys the tragedy of inhumane treatment in the face of a ruthless conventional enforcement machine, where the legal presence of juvenile police is absent, and confessions are extracted in the darkness of parental and legal exclusion.

This painting is an artwork by the painter, Thiyazen Al-alawi

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Executive Summary

This research paper examines and analyses the state of juvenile justice in Yemen during the period of armed conflict (2014–2026), focusing on its legislative framework, institutional structure, and the multifaceted challenges affecting the juvenile justice system. It analyses actual judicial practices concerning children in conflict with the law by examining the handling of juvenile cases by judicial authorities and care and rehabilitation institutions through selected cases involving accused or convicted juveniles who progressed through the various stages of criminal proceedings—including arrest, investigation, trial, and the implementation of judicial measures following conviction. The paper seeks to identify the procedural violations and irregularities accompanying the legal accountability process for children, as well as the patterns of conduct constituting violations of their rights. Its objective is to assess the effectiveness of the judicial and legal protection system governing juvenile justice, identify its procedural and institutional shortcomings, determine the gap between the law and its practical implementation, analyse the obstacles hindering the application of legal rules, standards, and procedures relating to juvenile justice, and propose practical recommendations to inform the institutional reform requirements and future development of a specialised juvenile justice system in Yemen.

The paper is based on qualitative information obtained from accused and convicted juveniles, their family members, and their legal representatives regarding the legal proceedings they underwent before judicial bodies responsible for juvenile cases in the governorates of Sana'a, Aden, Al Hudaydah, Hadhramaut, Taiz, Marib, Ibb, Dhamar, and Saadah. It also draws on information from a broad range of stakeholders involved in or concerned with juvenile justice, including juvenile court judges, juvenile prosecutors, social experts, specialists and administrators of juvenile care institutions, relevant government authorities, and civil society organizations working on children's issues. Individual interviews were used as the primary field research method for collecting data from these sources.

Although Yemen's juvenile justice legislation is broadly consistent with international legal instruments regarding the fundamental principles, standards, and safeguards protecting children's rights and ensuring fair and equitable trials for accused or convicted juveniles, several areas remain inconsistent with international standards. Most notably, Yemeni law defines the maximum age of a juvenile as fifteen years, contrary to the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, which define a juvenile as any person under the age of

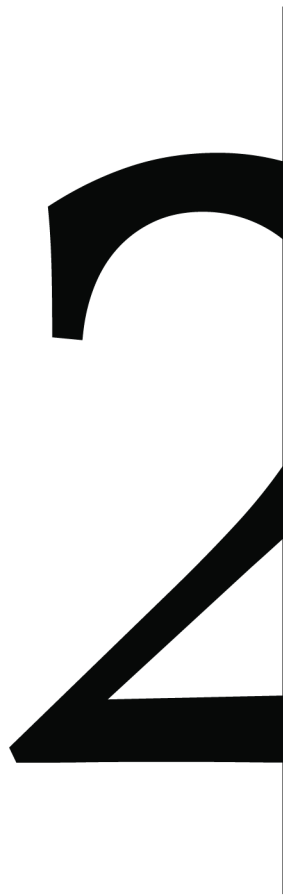
eighteen. Yemeni legislation also establishes a notably low minimum age of criminal responsibility at seven years. Furthermore, Yemeni law does not explicitly guarantee a juvenile's right to legal counsel or legal assistance immediately upon arrest, nor does it require the presence of a social worker as a condition for the validity of preliminary investigative procedures.

The juvenile justice system consists of a wide range of judicial, social, and administrative institutions whose respective mandates are clearly defined under Yemeni legislation. These include juvenile courts, juvenile prosecution offices, juvenile police, juvenile care and guidance institutions, Family Protection Departments, the Ministry of Social Affairs and Labour, the Technical Committee of the Ministry of Justice, case management offices, the Child Department within the Ministry of Interior, and the General Directorate for Family Protection, among others. The ability of these institutions to perform their judicial, rehabilitative, and corrective functions has been significantly affected by the political, security, and economic conditions resulting from the armed conflict, as well as by broader institutional weaknesses. Although the severity of these effects varies among institutions and across governorates - and in some cases even within the same governorate - the lack of an integrated institutional infrastructure for juvenile justice, the absence of effective institutional alternatives, the acute shortage of specialised personnel, limited specialised continuing training, weak judicial oversight, the absence of accountability mechanisms, and inadequate coordination among relevant institutions constitute common structural characteristics of Yemen's juvenile justice system throughout the conflict. These deficiencies substantially undermine the system's ability to deliver fair, humane, and child-centred justice.

In practice, there exists a significant gap between the law and its implementation with respect to the rights and procedural safeguards afforded to accused and convicted juveniles throughout all stages of criminal proceedings. Many of these rights are routinely undermined through procedural violations and practices that constitute breaches of the Juvenile Welfare Law, the broader national legal framework, and applicable international standards. According to many of the respondents interviewed for this study - including judges, juvenile prosecutors, social experts, lawyers, and social work specialists - this implementation gap is most pronounced during the initial stages of criminal proceedings, particularly the arrest and evidence-gathering phase, which is often conducted by authorities lacking jurisdiction over juvenile cases. A similarly critical deficiency exists during the

enforcement of judicial decisions, including both protective measures and criminal sanctions. In both stages, a common underlying challenge is the near-complete absence of specialised institutional structures capable of handling juveniles in a manner appropriate to their age, legal status, and particular vulnerabilities, as well as the lack of adequately equipped juvenile care institutions capable of fulfilling the rehabilitative and educational objectives underlying judicial measures and sentences imposed on children.

Although the later stages of criminal proceedings - including prosecution investigations, trial proceedings, and judicial decision-making - are also affected by procedural irregularities and occasional violations of legal safeguards protecting accused and convicted juveniles, respondents consistently indicated that judicial practice during the investigation and trial phases demonstrates comparatively greater adherence to the legal and procedural guarantees afforded to children than is observed during the arrest and enforcement stages. Nevertheless, the extent of compliance varies considerably across governorates and, in some cases, within individual governorates themselves. Overall, the findings derived from interviews with juveniles, together with the documented field cases and evidence examined in this study, corroborate the assessments provided by the expert respondents and practitioners interviewed during the research.



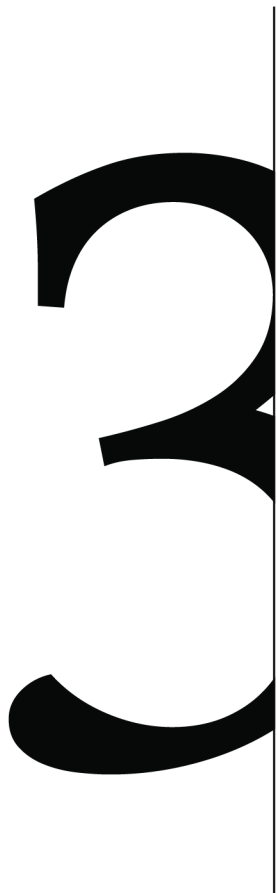
Introduction

Juvenile justice is responsible for adjudicating offences committed by children and young persons, whose age thresholds vary from one country to another. It forms part of a broader social and institutional system designed to address the diverse needs of children in conflict with the law and to ensure the delivery of effective, fair, and humane justice for juvenile offenders, children at risk of delinquency, and those vulnerable to exploitation by adult criminals.

The primary objective of the juvenile justice system is to protect society by holding children accused or judicially found responsible for criminal offences accountable without resorting to the judicial rules and criminal procedures applicable to adults. Consequently, juvenile justice differs from the adult criminal justice system in its institutional structure, legal framework, governing standards, and the authorities responsible for its administration. Likewise, the measures and dispositions imposed by juvenile courts are fundamentally rehabilitative and educational in nature, aiming to reform, rehabilitate, and reintegrate the child into society rather than to punish them. Juvenile justice is guided by a body of international standards that place the best interests of the child and the protection of their fundamental rights at the centre of all judicial proceedings.

This research paper examines the state of juvenile justice in Yemen during the period of armed conflict (2014–2026), focusing on its legislative framework, institutional capacities, and the diverse challenges confronting the sector.

The paper further analyses the actual practices of specialised juvenile justice institutions -including juvenile prosecution offices and juvenile courts- in dealing with children accused of committing criminal offences or judicially found responsible for offences punishable by law. The analysis is undertaken in light of relevant national legislation and applicable international standards. It also examines the challenges, patterns of procedural violations, and infringements of children's rights throughout the criminal justice process, identifies deficiencies in judicial protection mechanisms within the juvenile justice system, and presents recommendations intended to support the institutional reform of Yemen's juvenile justice system and strengthen the country's transitional justice process.s.



Methodology

This paper was prepared as a qualitative study based on information provided by accused and convicted juveniles, their family members, and their legal representatives concerning the legal accountability procedures to which the juveniles were subjected before judicial bodies responsible for handling juvenile cases in the governorates of Sana'a, Aden, Al Hudaydah, Hadhramaut, Taiz, Marib, Ibb, Dhamar, and Saadah. The study also draws on information obtained from a wide range of stakeholders involved in or concerned with juvenile justice, including juvenile court judges, juvenile prosecutors, social experts, social workers, administrators of juvenile care institutions, government authorities, and civil society organizations working on children's issues.

The study employed individual semi-structured interviews as its primary qualitative field research method to collect information from the above-mentioned sources, following the participants' informed consent. All interviews with released juveniles were conducted in the presence of their parent or legal guardian, or another close relative. Interviews with juveniles residing in care institutions were conducted in the presence of social workers, who helped prepare the children psychologically for the interview process. Additional interviews were conducted with juvenile court judges, juvenile prosecutors, social experts, lawyers, community service specialists, administrators of juvenile care institutions, and representatives of government bodies and civil society organizations concerned with juvenile justice.

The interviews were conducted during February 2026. Despite significant field-related challenges encountered in several governorates, the field team of Mwatana for Human Rights successfully carried out 153 interviews. Of these, 51 interviews were conducted with juvenile boys and girls, including 20 released juveniles, 20 juveniles who were under investigation or standing trial, and 11 juveniles who were still serving judicial measures or custodial sentences in juvenile care institutions.

In addition to the interviews, Mwatana for Human Rights convened a consultative session at its Sana'a office on 25 December 2025, attended by experts and practitioners working in the field of juvenile justice. A focus group discussion was subsequently held on 7 May 2026. The national expert responsible for preparing this paper also conducted a comprehensive review of the relevant literature and analysed the applicable legal texts.

In Sana'a, the research team was unable to complete all of the planned interviews with juveniles residing in the Juvenile Care and Guidance Centre or with officials responsible for the institution, which serves three governorates under the control of the Ansar Allah (Houthi) group (the Capital Secretariat, Sana'a, and Al Jawf). Numerous obstacles prevented the team from conducting interviews inside the centre, and these interviews were therefore replaced by interviews with juveniles who had already been released. Consequently, the relatively limited number of field cases cited in this report concerning acts that may constitute legal violations of the rights of accused or convicted juveniles within this geographical area - compared with other areas under the control of different parties to the conflict - reflects only these access constraints. It should not be interpreted as evidence of selective reporting or the deliberate omission of information. It should also be emphasised that all interviews planned in other areas under the control of the Ansar Allah (Houthi) group -namely the governorates of Ibb, Dhamar, Saadah, and Al Hudaydah- were completed successfully. This indicates that the difficulties encountered by the Mwatana team in Sana'a were specifically related to the complexity of obtaining access to the Juvenile Care and Guidance Centre rather than to broader restrictions on fieldwork.

Conversely, although the Ministry of Social Affairs and Labour of the internationally recognised government issued an unjust circular in November 2025 prohibiting cooperation with Mwatana for Human Rights in areas under the control of several parties aligned with the internationally recognised government and the Presidential Leadership Council,¹ the Mwatana field team nevertheless succeeded in carrying out its work in those areas. The team completed all planned interviews across every respondent category on the basis of informed consent and successfully concluded the data collection process in accordance with the methodology adopted for this study.

1. Mwatana for Human Rights, Affirming It Reserves All Legal Rights, December 4, 2025, at the following link: <https://www.mwatana.org/posts-en/affirming-it-reserves-all-legal-rights-en>

Overview of the Armed Conflict in Yemen

Following the Ansar Allah (Houthi) group's takeover of the Yemeni capital, Sana'a, in September 2014, Yemen descended into an armed conflict involving numerous local actors and armed factions, while the interests of influential regional powers -most notably the Saudi/UAE-led coalition- became increasingly intertwined with the conflict. In April 2022, the conflict reached a significant turning point with the establishment of a United Nations-brokered humanitarian truce. Although the truce was not renewed in October of the same year, the level of internal hostilities between the Yemeni parties declined considerably. The aerial campaign conducted by the Saudi/UAE-led coalition, which had begun on 26 March 2015, also came to an end in April 2022. Despite the reduction in large-scale military operations following the failure to renew the UN truce in October 2022 -and the subsequent transfer of presidential powers from former President Abdrabbuh Mansur Hadi to an eight-member Presidential Leadership Council representing the principal political and military factions aligned with the internationally recognised Yemeni government- violations against civilians continued unabated, with the decline in major military operations having little discernible impact on either the frequency or scale of such violations.

In late 2023, attacks by the Ansar Allah (Houthi) group on commercial shipping in the Red Sea prompted direct international military intervention in the Yemeni context. This took the form of Operation Prosperity Guardian, conducted between December 2023 and January 2025, followed by the United States' Operation Rough Rider, carried out from March to May 2025. During the same period, Israel launched direct military strikes targeting civilian infrastructure and other civilian objects, including ports, Sana'a International Airport, and electricity generation facilities. These attacks resulted in civilian casualties and extensive damage to civilian infrastructure.

On another front, December 2025 witnessed a marked escalation in tensions between the Southern Transitional Council (STC) and the internationally recognised government in the governorates of Hadhramaut and Al Mahrah, following attempts by STC forces -supported by the United Arab Emirates- to consolidate control over the two governorates. In January 2026, however, forces loyal to the internationally

recognised government, with the support of Saudi Arabia, regained control of both governorates, as well as a number of government institutions previously under STC authority in southern governorates including Aden, Shabwah, and Abyan. Nevertheless, no initiative has yet succeeded in securing a permanent ceasefire or launching comprehensive negotiations among the principal Yemeni parties to resolve the conflict and establish sustainable peace in the country.

The conflict continues to generate catastrophic humanitarian and economic consequences for the Yemeni population across multiple dimensions. By 2026, the number of internally displaced persons had risen to approximately 5.2 million.² An estimated 80 per cent of the population now lives below the poverty line,³ while more than 2.2 million children under the age of five suffer from acute malnutrition, including over 500,000 children experiencing severe acute malnutrition. Approximately 40 per cent of health facilities are either only partially operational or completely non-functional. More than 22 million people -including 10.95 million women and girls- require humanitarian assistance,⁴ of whom 14.4 million are in need of water, sanitation, and hygiene (WASH) services. Women and girls account for nearly half of all people in need of humanitarian assistance.

Despite the continuing deterioration of humanitarian conditions and the persistent need for humanitarian assistance across all sectors, the humanitarian response has experienced a significant contraction in both programme delivery and funding. This decline has resulted from a combination of factors, most notably regional geopolitical developments and increasing violations against humanitarian personnel. Chief among these were the large-scale detention campaigns carried out by the Ansar Allah (Houthi) group against employees of national and international humanitarian organisations operating in areas under its control. These actions have significantly undermined the ability of humanitarian actors to respond effectively to the growing needs of the civilian population.

2. United Nations website, 18 March 2026, at the following link:

<https://news.un.org/ar/story/2026/03/1144364>

3. UNHCR Yemen website overview, available at: <https://www.unhcr.org/ar/countries/yemen>

4. United Nations Office for the Coordination of Humanitarian Affairs (OCHA), Yemen Humanitarian Situation Report January-March 2026, available at: <https://yemen.unfpa.org/ar/publications>

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SECTION . ONE

The Legal Framework Governing Juvenile Justice

I. International Legal Framework

The international legal framework governing juvenile justice comprises a number of international instruments and normative standards that establish the safeguards and guarantees necessary to protect the rights, welfare, and best interests of children in conflict with the law. The most prominent of these instruments include the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) (November 1985), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) (December 1990), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (December 1990), the United Nations Standard Minimum Rules for the Treatment of Prisoners (May 1977), and the Convention on the Rights of the Child (November 1989), which requires that the best interests of the child be a primary consideration in all actions concerning children.

International standards guarantee a range of fundamental procedural safeguards, including the presumption of innocence; the right to be informed promptly of the charges; the right to remain silent; the right to legal representation; the right to the presence of a parent or legal guardian; the right to confront and examine witnesses; and the right to appeal before a higher authority⁵.

With regard to juveniles who have been arrested, international standards require that the child's parent or legal guardian be notified immediately or within the shortest possible time, that the question of release be considered without delay, and that due regard be given to the child's legal status, well-being, protection from harm, and the particular circumstances of the case. They further provide that parents or legal guardians should participate in the proceedings and that juveniles should not be separated from parental supervision, whether wholly or partially, unless such separation is required by the child's particular circumstances. International standards also require that juveniles held in pre-trial detention be separated from adult detainees and accommodated in separate institutions or separate units⁶.

5. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), November 1985, 7-1.

6. Ibid, 13-1.

Similarly, juveniles awaiting trial must be separated from those who have already been convicted⁷. Throughout all stages of judicial proceedings, confidentiality of both the proceedings and related information must be maintained in order to protect the child's privacy and safeguard their future.

International standards permit the use of pre-trial detention only as a measure of last resort and for the shortest possible period of time⁸. Its use must be restricted to exceptional circumstances, while every effort should be made to apply alternative measures⁹. They further require that juvenile cases be heard expeditiously and without unnecessary delay.

The Beijing Rules provide for a broad range of flexible dispositions designed to avoid the unnecessary placement of juveniles in correctional institutions. These include¹⁰:

- a. Care, guidance and supervision orders;
- b. Probation;
- c. Community service orders;
- d. Financial penalties, compensation and restitution;
- e. Intermediate treatment and other treatment orders;
- f. Orders to participate in group counselling and similar activities;
- g. Orders concerning foster care, living communities or other educational settings;
- h. Other relevant orders.

Among the guiding principles recommended by the Beijing Rules when determining dispositions in juvenile cases are that the judicial response should be proportionate to the nature and seriousness of the offence, the circumstances and needs of the juvenile, and the interests of society. Restrictions on a juvenile's personal liberty should be imposed only following careful consideration and should be limited to the narrowest extent possible. A juvenile should not be deprived of liberty unless found responsible for a serious offence involving violence or for other serious criminal conduct, and only where no other appropriate response is available.¹¹

7. United Nations Rules for the Protection of Juveniles Deprived of their Liberty (December 1990, 17).

8. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), November 1985, 13-1.

9. United Nations Rules for the Protection of Juveniles Deprived of their Liberty (December 1990, 17).

10. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), November 1985, 18-1.

11. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), November 1985, 17-1.

International standards further require that placement in correctional institutions be used only to the minimum extent necessary and solely as a measure of last resort for the shortest appropriate period. Deprivation of liberty should therefore occur only as a last resort and for the minimum period required. While the competent judicial authority determines the duration of the sentence, it should not preclude the possibility of the juvenile's early release where appropriate¹².

Finally, international standards categorically prohibit the imposition of the death penalty for any offence committed by a juvenile and prohibit the use of all forms of corporal punishment¹³.

II. National Legal and Legislative Framework

Yemeni legislation approaches children in conflict with the law on the fundamental premise that an accused or convicted juvenile is a person in need of care, rehabilitation, and reform rather than punishment. Relevant Yemeni laws affirm the principle that juveniles who come into conflict with the law must be treated in a manner that reflects their particular legal status and developmental needs. Accordingly, Law No. 24 of 1992 concerning Juvenile Welfare, as amended, together with its Implementing Regulations, establishes a range of legal safeguards designed to protect the rights of juveniles throughout all stages of criminal proceedings. It also provides for a specialised system of criminal accountability distinct from that applicable to adults, taking into account the child's age and stage of development. In addition to the guarantees of a fair and impartial trial, the law introduces additional safeguards specifically applicable to juvenile proceedings, including the requirement that court hearings be conducted in camera.

Furthermore, Article 3 of the Child Rights Law (Republican Decree by Law No. 45 of 2002 concerning the Rights of the Child) provides the legal protection necessary to safeguard children's rights and protect them from all forms of exploitation. Among its provisions, it requires "the participation of the child, through appropriate means, in all matters that serve the child's interests, while respecting

12. United Nations Rules for the Protection of Juveniles Deprived of their Liberty (December 1990, 2).

13. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), November 1985, 17-2/17-3.

and promoting the child's rights as an expression of the child's best interests." Likewise, Article 6 of the Child Rights Law gives priority to the protection of the child and the child's best interests in all decisions and measures adopted or undertaken by public authorities in matters relating to childhood, motherhood, the family, and the environment.

Similarly, the Yemeni Penal Code (Republican Decree by Law No. 12 of 1994 concerning Crimes and Penalties) reflects the principle of the child's best interests in relation to juveniles judicially found responsible for criminal offences by giving priority to rehabilitative and corrective measures over long-term custodial sanctions, except in the narrowest of circumstances.

The principal legal safeguards, procedural guarantees, and rights afforded under Yemeni legislation to accused or convicted juveniles, in a manner consistent with their best interests and developmental needs, may be summarised as follows :

1. The Principle of the Presumption of Innocence

Under this principle, a juvenile who has been arrested or is subject to investigation or trial is presumed innocent until proven guilty. Accordingly, the child must be treated as innocent throughout the proceedings and may not be subjected to physical or psychological abuse in order to obtain a confession or for any other purpose. The law also requires preference to be given to alternatives to detention, with deprivation of liberty permissible only where strictly necessary or required to ensure the child's safety.

2. The Principle of Diminished Criminal Responsibility of Juveniles

Pursuant to Article 31 of Republican Decree by Law No. 12 of 1994 concerning Crimes and Penalties, "a young person shall not bear full criminal responsibility if they had not reached the age of eighteen at the time of committing the act." The law distinguishes between three age categories of young offenders and prescribes different legal consequences for each category, as follows:

- * Children under seven years of age: A child below the age of seven bears no criminal responsibility, as the minimum age of criminal responsibility under Yemeni law is seven years.

- * Children aged seven years who have not yet reached fifteen years of age:
In such cases, the Penal Code requires the court to impose one of the measures provided for under the Juvenile Welfare Law instead of the statutory criminal penalty.
- * Children aged fifteen years who have not yet reached eighteen years of age:
A child within this age category may be sentenced to no more than one-half of the maximum penalty prescribed by law for the offence. Where the prescribed punishment is the death penalty, the child shall instead be sentenced to imprisonment for a term of not less than three years and not more than ten years.

It should be noted, however, that all provisions relating to the rights and legal status of juveniles under Yemeni law apply exclusively to the first two age categories. This follows from Article 2 of the Juvenile Welfare Law, which defines a juvenile as “every person who has not attained the full age of fifteen years at the time of committing an act criminalised by law or who is found in one of the situations exposing them to delinquency.” Consequently, the criminal penalties prescribed by the Penal Code do not apply to juveniles between the ages of seven and fifteen, irrespective of the nature or seriousness of the offence for which they have been found responsible.

3. Principle of Specialised Judicial Jurisdiction

Yemeni law requires that cases involving children be heard by specialized Juvenile Courts, ensuring a better understanding of the child’s particular circumstances and social and psychological needs, in line with the principle of the natural judge. The law further provides that the Juvenile Court shall be composed of a single judge, assisted by two social work specialists, one of whom must be a woman. These specialists are appointed by a decision of the Minister of Justice in agreement with the Minister of Social Affairs and Social Insurance, and their attendance throughout the trial proceedings is mandatory¹⁴.

The law also prescribes specific qualifications for social work specialists. They must hold at least a university degree in psychology or sociology and possess the ability to gain the trust of the child, establish a positive relationship with both the

14. Article 15 of Law No. 24 of 1992 concerning the care of juveniles and its amendments.

child and their family, and demonstrate the professional competence, intellectual capacity, and personal qualities necessary to effectively perform their assigned responsibilities¹⁵.

The territorial jurisdiction of the juvenile court is determined by the place where the offence was committed, where one of the legally recognised situations exposing the child to delinquency occurred, where the juvenile was apprehended, or where the juvenile, their legal guardian, trustee, or mother resides, as the case may be (Article 17(a) of the Juvenile Welfare Law). The law also permits juvenile court hearings to be held within juvenile care and rehabilitation institutions in order to facilitate and expedite judicial proceedings. The age of the child at the time of committing the act constituting delinquency, or at the time they are found in one of the legally recognised situations exposing them to delinquency, is the determining factor in establishing the competent court (Article 10 of the Juvenile Welfare Law). Proceedings before juvenile courts are governed by the procedural rules applicable to non-serious offences unless otherwise provided by law (Article 18 of the Juvenile Welfare Law).

As an exception to the general rule that juvenile courts have exclusive jurisdiction over juvenile cases, Article 16 of the Juvenile Welfare Law authorises one of the courts of first instance, in governorates where juvenile cases are relatively few, to exercise the jurisdiction of a juvenile court. Such designation must be made by a decision of the Supreme Judicial Council upon a proposal from the Minister of Justice following consultation with the Minister of Social Affairs and Labour.

4. Release of the Juvenile as the General Rule under Yemeni Law

Under Yemeni law, the release of a juvenile constitutes the general rule. Pursuant to Article 13 of the Juvenile Welfare Law, a juvenile may be released “[at any stage of the investigation or trial, provided that such release does not prejudice the administration of justice or pose a risk to the juvenile.](#)” Furthermore, Article 5 of the Juvenile Welfare Law requires the release of a child apprehended for the first time in cases involving circumstances exposing them to delinquency. In such cases, the competent prosecution office need only issue a warning to the child’s guardian, requiring them to monitor the child’s future conduct and behaviour.

15. Article 6 of the Executive Regulations of the Juvenile Welfare Law, August 1998.

5. Conditions Governing the Detention of an Apprehended Juvenile

Yemeni law permits the detention of a juvenile following arrest only where necessary and for a period not exceeding twenty-four hours. Where the apprehended child is under the age of twelve and cannot be released into the custody of a parent, guardian, or other responsible custodian, or where their release would endanger either the child or others, the child may be held in facilities specifically designated for juveniles for a maximum of twenty-four hours (Article 124 of the Child Rights Law and Article 11 of the Juvenile Welfare Law).

For juveniles who have attained the age of twelve, the law permits detention, where necessary, for the same maximum period in a police station, provided that the child is held in a separate area that prevents contact with older detainees.

6. Prohibition of Pre-Trial Detention Except Where Strictly Necessary

Article 184 of the Code of Criminal Procedure (Republican Decree by Law No. 13 of 1994 concerning the Code of Criminal Procedure) establishes, as a general rule, that a child under the age of fifteen shall not be held in pre-trial detention. Nevertheless, Article 12 of the Juvenile Welfare Law permits the Public Prosecution to order the temporary placement of a juvenile where the circumstances of the case so require, provided that the child is placed in a juvenile care and rehabilitation institution and made available whenever requested by the competent authority. Such placement may not exceed one week unless extended by order of the court.

As an alternative to pre-trial detention, paragraph (b) of the same article authorises the surrender of the juvenile to one of their parents or to the person exercising legal guardianship, who shall be responsible for supervising the child and ensuring their appearance whenever required.

7. The Juvenile's Right to Legal Representation

Article 19 of the Juvenile Welfare Law and Article 130 of the Child Rights Law require that every juvenile be represented by legal counsel, irrespective of the nature or seriousness of the alleged offence. Where the juvenile has not appointed a lawyer, the Public Prosecution or the court is under a legal obligation to appoint one on the child's behalf.

In addition, Article 20(c) of the Juvenile Welfare Law requires defence counsel to attend all court hearings. Failure of counsel to appear renders the proceedings legally void.

8. Immediate Notification of the Juvenile's Family Following Arrest

Article 77 of the Code of Criminal Procedure requires that a person chosen by the arrested individual be notified immediately of the arrest. Where the arrested person is unable to make such a choice, notification must instead be given to a relative or another person concerned with the individual's welfare.

In the case of juveniles, the law provides additional safeguards. Article 20(a) of the Juvenile Welfare Law permits the child's parent, legal guardian, or relatives to attend court hearings, thereby strengthening the child's legal protection and providing psychological support throughout the proceedings. Furthermore, Article 25 of the Juvenile Welfare Law requires that every procedural measure requiring notification to the juvenile, as well as every judgment issued against them, be communicated to one of the child's parents, legal guardian, or the person responsible for their care, thereby enabling that person to exercise any available rights of appeal on the juvenile's behalf.

9. Conducting Investigations in a Child-Friendly Environment Appropriate to the Juvenile's Age and Psychological and Social Condition

The Public Prosecution is responsible for conducting investigations and making prosecutorial decisions in juvenile cases. In carrying out questioning and investigative procedures, due regard must be given to "the juvenile's age, the seriousness of the alleged offence, the juvenile's physical and mental condition, the circumstances in which the juvenile was raised and lived, and other factors relevant to the assessment of the juvenile's personality" (Article 8 of the Juvenile Welfare Law).

Furthermore, Article 14 of the Juvenile Welfare Law provides that "a juvenile shall not be subjected to ill-treatment, the use of handcuffs, or the enforcement of judgments by means of physical coercion. A juvenile shall not be subjected to intimidation or threats, whether during arrest, trial, or detention, nor shall they be assaulted or tortured for the purpose of obtaining a confession."

10. Expedited Adjudication of Juvenile Cases

Pursuant to Article 13 of the Juvenile Welfare Law, juvenile cases are classified as urgent matters. Accordingly, the competent court is required to adjudicate juvenile cases expeditiously through consecutive hearings until a final determination is reached, without prejudice to the juvenile's procedural rights, including the right to adequate time and facilities to prepare a defence. The requirement of expedition applies throughout every stage of the criminal justice process.

11. Confidentiality of Judicial Proceedings

The principle of confidentiality prohibits the publication of any information that could reveal the identity or name of an accused juvenile, thereby protecting the child's privacy, dignity, and future. Court proceedings involving juveniles must also be conducted in private. Attendance is limited to the juvenile's relatives, witnesses, lawyers, social supervisors, and any other persons specifically authorised by the court (Article 20(a) of the Juvenile Welfare Law). This restriction is intended to protect the child from harm or social stigmatisation and to safeguard their psychological well-being.

In addition, Article 42 of the Juvenile Welfare Law prohibits the publication, by any means, of the proceedings or summaries of juvenile trials. Likewise, Article 20 of the Implementing Regulations of the Juvenile Welfare Law requires that the records and personal files of juveniles placed in social care institutions be maintained under strict confidentiality.

12. Mandatory Social Inquiry and Assessment

A social inquiry into the circumstances of the accused juvenile constitutes a mandatory legal requirement before the competent court may issue a judgment or judicial measure. Pursuant to Article 21 of the Juvenile Welfare Law, “before deciding the case of a juvenile, the court shall hear the opinion of the social supervisor after the submission of a social report explaining the factors that led the juvenile to delinquency or exposed them to it, together with recommendations for the juvenile's rehabilitation. The court may also seek the assistance of experts where necessary.”

In addition, Attorney General Decision No. 20 of 1998, issuing the General Instructions for the Public Prosecution, provides in Part II, Chapter I (Juvenile Cases), Article 463, that before taking any prosecutorial decision in a juvenile case, the prosecutor must investigate the juvenile's social and environmental background and

the reasons that led to the commission of the offence. This assessment is to be conducted with the assistance of social workers and the juvenile's parent or legal guardian, who should be questioned regarding the child's behaviour and character so as to assist the Public Prosecution in determining the most appropriate course of action.

13. Priority of Alternative Measures over Custodial Sentences

Article 36 of the Juvenile Welfare Law provides a range of judicial measures that may be imposed on a juvenile found responsible for a criminal offence. These measures include:

- * Reprimand;
- * Placement of the juvenile in the custody of a parent or of the person exercising guardianship or trusteeship;
- * Enrolment in vocational training;
- * Imposition of specific obligations;
- * Judicial probation;
- * Placement in a juvenile rehabilitation and care institution for a period not exceeding ten years for serious offences, three years for non-serious offences, and one year in cases involving circumstances exposing the child to delinquency; and
- * Placement in a specialised medical institution.

The imposition of one of these measures is mandatory, pursuant to the same article, where the juvenile is under the age of ten (between seven and ten years old). In such cases, no criminal penalty or other sanction provided for under the Penal Code may be imposed, irrespective of the nature of the offence for which the child has been found responsible.

By contrast, where a juvenile has attained the age of fifteen but has not yet reached sixteen and commits an offence punishable by death, the applicable penalty is a custodial sentence of not less than ten years' imprisonment. Where the offence is punishable by imprisonment rather than death, the court may impose a custodial sentence that does not exceed one-quarter of the statutory maximum penalty prescribed for that offence, as may be inferred from Article 37 of the Juvenile Welfare Law.

Accordingly, Yemeni law accords clear priority to alternative measures over criminal punishment and requires courts to impose such measures in cases involving juveniles under the age of ten. However, it does not entirely exclude custodial sentences for juveniles between the ages of ten and fifteen, the applicable sanction depending on the nature of the offence. Instead, it reduces the custodial sentence to one-third of the penalty otherwise prescribed by law and requires that such sentences be served in separate facilities within correctional institutions, while also permitting the provision of social rehabilitation programmes for sentenced juveniles (Article 35 of the Juvenile Welfare Law).

In all circumstances, Yemeni law prohibits the imposition of the death penalty, life imprisonment, and corporal punishment on juveniles.

14. Modification or Reduction of Judicial Measures Imposed on Juveniles

The law requires the institution in which a juvenile has been placed to submit a report to the competent court on the juvenile's condition and behaviour at least once every six months (Article 35 of the Juvenile Welfare Law). Based on these reports, or upon the request of the Public Prosecution, the juvenile, the juvenile's legal guardian, or trustee, the competent court may «order the termination of the measure, modify its regime, or substitute it with another measure, subject to the provisions of Article (37) of this Law» (Article 32 of the Juvenile Welfare Law).

15. Non-Application of Recidivism Provisions

Article 38 of the Juvenile Welfare Law provides that:

“Where a juvenile commits two or more offences, only one appropriate measure shall be imposed, even if, after the measure has been ordered, it is subsequently established that the juvenile committed another offence before or after that judgment.”

Accordingly, the law excludes the application of recidivism rules and does not permit previous or subsequent offences to result in cumulative judicial measures against the juvenile.

16. The Right to Appeal

Yemeni law guarantees the juvenile and their legal guardian the right to appeal judgments issued by juvenile courts. The only exceptions are judgments imposing a reprimand or placing the juvenile in the custody of their parents or other legal guardian. Such judgments may be appealed only on grounds of an error in the application of the law, invalidity of the judgment, or a procedural defect that affected the outcome of the proceedings (Article 25 of the Juvenile Welfare Law).

17. The Juvenile's Right to Education, Rehabilitation, and Social Reintegration

Yemeni law guarantees every juvenile subject to one of the judicial measures prescribed under the Juvenile Welfare Law the right to education, rehabilitation, and social reintegration throughout the implementation of that measure.

Juvenile rehabilitation and care institutions are responsible for providing social, psychological, educational, vocational, and healthcare services to juveniles in coordination with the relevant authorities. To this end, these institutions establish vocational workshops and training facilities appropriate to the local environment and tailored to the interests, abilities, and age groups of the juveniles in their care. Following vocational and educational training, the institutions, in coordination with the competent authorities, facilitate the placement of juveniles in external workshops, factories, and companies under the supervision of social workers (Articles 9–11 of the Implementing Regulations of the Juvenile Welfare Law).

Furthermore, Article 127 of the Child Rights Law requires social care institutions to supervise and monitor the juvenile's education and rehabilitation throughout all stages of the educational and training process and to endeavour to secure employment for the juvenile in the occupation for which they have been trained after completion of the judicial measure. The purpose of this obligation is to facilitate the juvenile's successful reintegration into society and reduce the risk of reoffending.

III. The Compatibility of Yemeni Legislation with International Juvenile Justice Standards and Rules

Overall, Yemeni legislation governing juvenile justice is broadly consistent with many of the standards and principles set out in international instruments concerning the rights of accused and convicted juveniles and the guarantees of fair and equitable criminal proceedings. This includes the Convention on the Rights of the Child (1989), particularly Article 40, which affirms the child's right to a fair trial, the presumption of innocence, the right to legal defence, the prompt determination of criminal proceedings, and the use of alternatives to pre-trial detention except as a measure of last resort. Yemeni legislation is likewise broadly aligned with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) (1985) with respect to the establishment of a specialised juvenile justice system, the principle of the child's best interests, and the preference for rehabilitative measures over custodial sanctions. Similarly, it reflects the objectives of the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) (1990), which emphasise prevention and social reintegration, principles incorporated into Yemeni law through the educational and social measures guaranteed to juveniles during the implementation of judicial dispositions.

The Yemeni legislative framework is also consistent with a number of other rights recognised in the above-mentioned international instruments. These include the principle that juveniles should not be treated as adult offenders, the prohibition on detaining juveniles together with adults, the requirement that juveniles be subject to criminal procedures distinct from those applicable to adults, the emphasis on rehabilitation rather than punishment, the confidentiality of juvenile proceedings, the limitation of preventive detention to the shortest possible period, and the possibility of discontinuing criminal proceedings against a juvenile at any stage of the process.

Furthermore, Yemeni legislation requires courts to take social inquiry reports into consideration before deciding juvenile cases, to give priority to the child's best interests when imposing any judicial measure or disposition, and to ensure the attendance of a social expert during trial proceedings. It also provides that detention pending investigation or trial should be used only as a measure of last resort; prohibits corporal punishment, capital punishment, and life imprisonment

for juveniles; restricts the use of deprivation of liberty; reduces custodial sentences by one-third in comparison with those applicable to adults; and requires that juveniles be detained in specialised facilities or in accommodation separate from adult detainees.

Nevertheless, several aspects of Yemeni legislation remain inconsistent with international standards governing juvenile justice. The most significant of these is the definition of a juvenile as a person under the age of fifteen, whereas the United Nations Rules for the Protection of Juveniles Deprived of their Liberty define a juvenile as every person under the age of eighteen¹⁶. In addition, the minimum age of criminal responsibility under Yemeni law -seven years- is exceptionally low. Although international standards do not prescribe a specific minimum age, the Beijing Rules (Rule 4.1) require that the age of criminal responsibility “[shall not be fixed at too low an age level.](#)”

Yemeni law also recognises only official documentation as proof of a child's age. Where no such documentation exists, the child's age is to be determined by a qualified expert (Article 9 of the Juvenile Welfare Law). In practice, however, establishing a juvenile's age frequently constitutes a significant obstacle that may deprive the child of the special legal protections afforded to juveniles and result in prosecution before ordinary criminal courts. The absence of identity documents and reliable civil registration records, combined with reliance on imprecise medical age assessments and the lack of modern age-verification techniques, has in some cases led to children being tried before adult criminal courts¹⁷.

16. United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (December 1990), Rule 11(a). It is worth noting that other relevant international instruments do not define the age of a juvenile with the same degree of clarity as the United Nations Rules. For example, the Convention on the Rights of the Child, Article 1, defines a child as every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier, thereby allowing States discretion in determining the age of majority. Likewise, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) leave the determination of the age of a juvenile to domestic legislation and merely provide that a “juvenile is a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult.” United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (November 1985), Rule 2.2(a).

17. An interview conducted by Mwatana for Human Rights with an assistant judge of a juvenile court (social expert) in Hadhramaut, Al-Mukalla, February 4, 2026.

With regard to custodial sanctions imposed on juveniles following conviction, some observers consider that the prison terms prescribed under Yemeni criminal legislation—which, depending on the offence, may extend to ten years or more—are disproportionately severe for children and may adversely affect their future prospects and opportunities for rehabilitation, notwithstanding that they are reduced in comparison with the penalties applicable to adults¹⁸.

In addition, the legal provision requiring a juvenile who reaches the age of fifteen before completing the judicial measure imposed in a juvenile institution to be transferred to a central prison to serve the remainder of the sentence, without expressly requiring separation from adult prisoners¹⁹, is inconsistent with the principle of the child's best interests. Such transfer may expose the child to psychological trauma resulting from contact with adult inmates and may undermine the rehabilitative progress achieved during what may have been years of care and rehabilitation in a juvenile institution²⁰.

With respect to procedural safeguards, Yemeni legislation does not require that a juvenile or their legal guardian have access to legal counsel or legal advice immediately upon arrest or during temporary detention. Nor does it require the presence of the child's legal guardian and a social worker as a condition for the validity of preliminary investigative procedures. Likewise, the law does not oblige the Public Prosecution to conduct a social inquiry before determining how to proceed with a juvenile case, nor does it require the participation of the child's legal guardian throughout all stages of the criminal proceedings, limiting such participation largely to the trial stage.

18. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution in Taiz city - Taiz Governorate, February 10, 2026.

19 Article 41(b) of the Juvenile Welfare Law provides: "If a juvenile reaches the age of fifteen before completing the imposed sentence, they shall be transferred to a prison to serve the remainder of the sentence by a decision of the court that issued the judgment. However, upon a written request from the Public Prosecution, the same court may order that the juvenile remain in the juvenile institution instead of being transferred to prison until reaching the age of sixteen, for the purpose of completing the vocational training that the juvenile has already begun."

20. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution in Taiz Governorate - Taiz city, February 10, 2026.

Finally, the Yemeni legislative framework suffers from limited integration with other criminal and procedural legislation and has not been systematically updated to reflect evolving social realities and practical developments. This lack of legislative coherence and periodic reform has created scope for inconsistent interpretation and application by different judicial authorities²¹.

21. An interview conducted by Mwatana for Human Rights with an assistant judge of a juvenile court (social expert) in Marib Governorate, January 25, 2026.

SECTION . TWO

Yemen's Juvenile Justice System: Reality and Challenges

The performance of the institutions comprising Yemen's juvenile justice system in carrying out their judicial, rehabilitative, and correctional functions has been profoundly affected by the conditions of the armed conflict and the associated security, economic, and political challenges. Although the extent of these effects varies across governorates and according to the geographical areas controlled by the different parties to the conflict, a number of structural deficiencies are common throughout the country. These include the absence of an integrated institutional framework for juvenile justice, limited financial and material resources, a shortage of specialised personnel, insufficient regular and specialised training, and weak coordination among the relevant institutions. While the severity of these deficiencies varies to some extent from one area to another, they constitute defining characteristics of Yemen's juvenile justice system during the conflict.

I. Absence of an Integrated Institutional Framework for Juvenile Justice and Rehabilitation

Yemen's juvenile justice system lacks a network of specialised judicial institutions covering the entire territory of the country. Specialised juvenile courts and prosecution offices are concentrated in the administrative centres of a limited number of major governorates, including Sana'a, Aden, Taiz, Al Hudaydah, Hadhramaut (Mukalla), Ibb, and Dhamar. In governorates where specialised juvenile courts have not been established, courts of first instance exercise the functions assigned to juvenile courts. Likewise, there are no specialised appellate divisions for juvenile cases in any governorate, including those where specialised juvenile courts have been established. Similarly, specialised juvenile police units and Family Protection Offices exist only in a very limited number of major governorates.

With regard to the rehabilitative institutions associated with the juvenile justice system, Yemen lacks juvenile care institutions for boys across much of the country, including in governorates where specialised juvenile courts and prosecution offices are already in operation. Dhamar provides a clear example. Although the governorate has a specialised juvenile court and prosecution office, it has no juvenile care institution in which judicial placement measures ordered by the the court can be implemented. As a consequence, the juvenile justice system remains fragmented

and institutionally incomplete even within a single governorate. More importantly, it substantially undermines the effectiveness of juvenile justice, since placement orders issued by juvenile courts are implemented in juvenile detention facilities rather than specialised care and rehabilitation institutions because no such institution exists.

A similar situation exists in the Wadi Hadhramaut district, including the city of Seiyun, where a specialised juvenile court and prosecution office operate in the absence of a juvenile care institution. Consequently, juveniles awaiting investigation or trial are held in juvenile detention facilities contrary to the law, while juveniles sentenced to placement in a care institution are either detained in juvenile prisons or transferred to the juvenile care institution in Mukalla to serve the judicial measure imposed upon them²². This arrangement imposes significant hardship on both the juveniles and their families because of the considerable distance involved and the resulting difficulties in maintaining family contact, supervision, and follow-up.

In some governorates, such as Saadah, there is virtually no institutional infrastructure for juvenile justice at all, including the absence of even a juvenile detention facility. In such circumstances, ordinary prosecution offices and courts rely on the assessment of the neighbourhood aqil (local community leader) when evaluating the circumstances of the juvenile²³.

The situation is even more limited for girls. Dedicated social care institutions for female juveniles exist only in a small number of governorate centres, such as Sana'a, Aden, and Taiz. In most other areas, girls are generally detained in women's sections of central prisons or released where the charges against them do not involve serious offences²⁴.

This institutional reality reflects a profound structural deficiency within Yemen's juvenile justice system, severely limiting the practical implementation of the legal safeguards guaranteed to juveniles under national legislation. Where juvenile justice institutions exist only in a fragmented form and lack institutional integration even within a single governorate, the delivery of effective rehabilitative justice for accused and convicted juveniles becomes practically unattainable.

22. An interview conducted by Mwatana for Human Rights with the juvenile lawyer M.B.I.A. in Hadhramaut Governorate, Seiyun, January 28, 2026.

23. An interview conducted by Mwatana for Human Rights with a member of the Public Prosecution in Saadah, January 26, 2026.

24. An interview conducted by Mwantana for Human Rights with a member of the juvenile prosecution in Taiz Governorate - City, February 10, 2026.

In governorates where ordinary courts hear juvenile cases because specialised juvenile courts do not exist, the very principle of specialisation -which constitutes the cornerstone of juvenile justice- is fundamentally undermined. As a result, children are deprived from the outset of judicial proceedings specifically designed to accommodate their age and individual circumstances, and many of the essential safeguards of a fair juvenile trial are effectively lost. One such safeguard is the mandatory social inquiry into the child's background, which provides the evidentiary basis upon which the court determines the appropriate judicial measure or sanction. Ordinary courts dealing with juvenile cases do not include the two social experts -one of whom must be female- required under the Juvenile Welfare Law. Consequently, these courts issue judgments without the benefit of the social assessment reports that are intended to provide the legal and social foundation for determining the most appropriate rehabilitative measure or sanction.

Furthermore, the limited availability of specialised juvenile police units trained in handling juvenile suspects, collecting evidence, and interviewing children in accordance with legal standards means that juveniles apprehended by the police are generally treated in much the same manner as adult suspects in ordinary police stations.

In addition, disparities in the institutional capacity of the juvenile justice sector across governorates have resulted in unequal access to justice. These disparities are reflected in significant variations in the application of juvenile criminal procedures between different governorates and, in some instances, even within the same governorate.

The institutional deficiencies within Yemen's juvenile justice system and its rehabilitative framework have been dramatically exacerbated by the armed conflict. Institutions affiliated with parties to the conflict have seized a number of juvenile care facilities or compelled them to vacate their premises and operate from alternative buildings that are wholly unsuitable for their intended purpose. In Taiz, for example, forces affiliated with the internationally recognised government currently occupy the premises of the Al-Dhabab Social Welfare Complex²⁵. Other juvenile care institutions have been forced to close altogether and suspend their services,

25. An interview conducted by Mwatana for Human Rights with an official at the Social Welfare Home in Taiz Governorate - City, February 3, 2026.

as was the case with the Juvenile Care Institution in Mukalla (Hadhramaut), which remained closed for nine years and resumed operations only a few months before the preparation of this study²⁶. Numerous social care institutions in other governorates have likewise sustained damage as a result of shelling and military attacks or have deteriorated to such an extent that they are no longer capable of carrying out their rehabilitative and service functions.

Closely related to these developments, the case management system has, in some areas, suffered an almost complete collapse as a consequence of the armed conflict²⁷. In many governorates, Community Protection Committees operating at the district level, together with governmental departments responsible for family protection, have become largely inactive or perform only very limited functions²⁸.

26. An interview conducted by Mwatana for Human Rights with an official at the Social Welfare Home in Hadhramaut Governorate - Mukalla, February 2, 2026.

27. Case Management System: The Case Management System was established by the Ministry of Social Affairs and Labor in partnership and coordination with UNICEF in 2013 across four governorates: Sana'a, Taiz, Aden, and Ibb. Among its principal functions is monitoring the cases of children in contact with the law before security and judicial authorities and facilitating information-sharing with those entities. Interview conducted by Mwatana for Human Rights with a Case Management Office specialist at the Ministry of Social Affairs and Labor, Sana'a, January 10, 2026.

28. General Directorate for Family Protection: The General Directorate for Family Protection is one of the specialized departments within the Ministry of Justice. Representatives of the Directorate are stationed in certain police departments in the governorates of Sana'a, Aden, Taiz, and Al Hudaydah. Its primary responsibilities include receiving reports of violence, protecting children, monitoring arrest and investigation procedures, referring cases to the Public Prosecution and other competent authorities, coordinating with relevant institutions, transferring children to appropriate places of detention, and ensuring compliance with the legal procedures applicable to children. The Directorate is also responsible for preparing social assessment reports, promoting alternatives to detention, ensuring respect for the principle of the best interests of the child, and contributing to the prevention of domestic violence and juvenile delinquency. Interview conducted by Mwatana for Human Rights with an official from the Women and Children Department at the Ministry of Justice, Aden, January 28, 2026. Consultation session organized by Mwatana for Human Rights in Sana'a, December 25, 2025.

Likewise, the Technical Committee within the Ministry of Justice -an essential component of the specialised juvenile justice system- has experienced a marked decline in its effectiveness owing to insecurity, political instability, resource constraints, institutional fragility, and weak coordination among child protection institutions²⁹.

Institutions responsible for restorative justice -including the Case Management Department, the General Directorate for Family Protection, the Child Department within the Ministry of Interior, the Women's and Children's Department within the Ministry of Justice, and local Case Management Offices- have become almost entirely ineffective in implementing restorative justice mechanisms³⁰. The post-release aftercare system has likewise collapsed completely. Functioning social supervision committees are now extremely rare, and very few institutions continue to implement sustainable reintegration programmes for released juveniles.

29. Technical Committee of the Ministry of Justice: The Technical Committee of the Ministry of Justice is entrusted with a range of essential functions aimed at safeguarding the rights of children involved in criminal proceedings and ensuring a fair and child-appropriate legal environment that protects them from cruel or inhuman treatment. The Committee provides free legal aid to child defendants and, in principle, offers technical and legal advice to judicial and prosecutorial institutions on the proper handling of juvenile cases with a view to improving the juvenile justice system. It also oversees training programs for judges, prosecutors, and other professionals working within the juvenile justice system to promote the correct implementation of juvenile justice procedures. In addition, the Committee is responsible for monitoring the implementation of relevant legislation, issuing periodic reports on developments in juvenile justice cases in Yemen, and cooperating with international and national organizations working in the field of children's rights to ensure that international standards are reflected in the handling of cases involving children. Interview conducted by Mwatana for Human Rights with a specialist from the Women and Children Department at the Ministry of Justice, Aden, February 4, 2026.

30. The Women and Juvenile Department was established pursuant to Republican Decree No. (50) of 2013 as part of the organizational structure of the Ministry of Interior. Its principal functions include monitoring cases involving children within the security and judicial systems, referring juvenile case files to the Public Prosecution after recording the child's statement, and promoting restorative justice. At present, this department operates only in the Capital Secretariat (Sana'a). Since 2022, its activities in several other areas have ceased due to a decline in financial and technical support previously provided by international organizations working on children's issues, including UNICEF, the United Nations Development Programme (UNDP), and Save the Children. Interview conducted by Mwatana for Human Rights with a specialist at the Case Management Office in Sana'a, February 10, 2026.

In areas under the control of the Ansar Allah (Houthi) group, the situation has been particularly severe. Social Defence Offices within the Offices of the Ministry of Social Affairs and Labour ceased operating following the suspension of UNICEF activities. As a result, social workers were compelled to discontinue field follow-up of juvenile cases because transport allowances were no longer available and financial assistance previously provided directly to vulnerable children had been discontinued³¹.

The informal structures supporting juvenile justice, represented primarily by civil society organizations providing legal, psychological, and social assistance to accused and convicted juveniles, also face substantial challenges arising from insecurity and the country's political and institutional fragmentation. Numerous obstacles limit the capacity of these organizations to monitor and document violations, advocate for the rights of children in conflict with the law, facilitate their reintegration into society, and raise legal awareness among families regarding children's rights and juvenile justice procedures. These obstacles include restrictive administrative requirements, burdensome procedures for obtaining and renewing operating permits, limited access to places of detention, and chronic shortages of financial resources. Collectively, these constraints have significantly weakened the overall role of civil society organizations working on juvenile justice³².

In particular, legal aid and child protection activities carried out by civil society organizations operating in areas under the control of the Ansar Allah (Houthi) group have declined sharply following the decision of the United States administration to designate the Ansar Allah (Houthi) group as a Foreign Terrorist Organization in January 2025, together with the restrictions imposed on international organizations and donor-funded programmes operating in those areas.

31. An interview conducted by Mwatana for Human Rights with a social worker in Sana'a, February 9, 2026.

32. Various interviews conducted by Mwatana for Human Rights with civil society organizations in several Yemeni governorates during January and February 2026.

II. Limited Financial and Material Resources

Specialised juvenile courts and prosecution offices lack independent or adequately equipped premises from which to carry out their functions. In Mawiyah District in Taiz Governorate, an area under the control of the Ansar Allah (Houthi) group, for example, the juvenile court has no dedicated building and instead operates from a small room within the judicial complex³³. Similarly, in Ibb Governorate, the Juvenile Prosecution Office is housed within the premises of the Public Prosecution Office, a situation that adversely affects both the privacy of juvenile cases and the well-being of children appearing before the justice system³⁴.

Across the country, judicial institutions specialising in juvenile justice suffer from severe shortages of facilities, equipment, modern technological resources, and the financial means necessary to provide effective juvenile justice services. Juvenile care institutions that continue to operate under extremely difficult circumstances likewise face acute shortages of institutional capacity and financial resources, leaving them unable to meet the basic needs of the children in their care or to provide adequate nutrition, healthcare, psychological support, education, vocational training, and educational and rehabilitative activities capable of achieving the corrective objectives for which such institutions were established.

Most of the juvenile care institutions visited during the study were small in size and lacked the infrastructure, secure facilities, and appropriate accommodation necessary to provide comprehensive care and rehabilitation for resident juveniles. Consequently, their capacity is extremely limited when compared with the large number of children requiring care. One official at the Juvenile Care Institution in Taiz city explained:

“The institution is extremely overcrowded, while the number of residents is very large. The children come from all the rural districts of Taiz Governorate as well as from the city itself.”³⁵

33. An interview conducted by Mwatana with a judge at the Juvenile Court of First Instance in Mawiyah, Taiz Governorate February 4, 2026.

34. An interview conducted by Mwatana for Human Rights with a juvenile prosecutor in Ibb Governorate, February 3, 2026.

35. An interview conducted by Mwatana for Human Rights with an assistant judge of a juvenile court (social expert) in Taiz city, Taiz Governorate, February 4, 2026.

The same official added:

“The current building is unsuitable for carrying out the activities and services that the institution is supposed to provide.”

In Sana'a, there is only one juvenile care institution for boys serving three governorates -the Capital Secretariat, Sana'a Governorate, and Al Jawf- with a maximum capacity of only sixty juveniles³⁶.

In Marib Governorate, which experienced large-scale internal displacement during the conflict, the authorities established a juvenile care institution in 2015. Since then, the institution has been under constant pressure because of the increasing number of juvenile cases among displaced communities, significantly exceeding its capacity to provide care and even the minimum level of essential services required by resident juveniles.

The services provided by juvenile care institutions remain inadequate and severely limited because of chronic resource shortages and the failure of the competent authorities -particularly the Ministry of Social Affairs and Labour- to allocate sufficient annual budgets or operational funding. One official at the Juvenile Care Institution in Mukalla, Hadhramaut, stated:

“We operate with very limited resources and try to make up for the shortfall through our own efforts -sometimes by reallocating funds from one budget line to another within our already meagre budget, and occasionally through limited support from civil society organizations³⁷.”

Another official observed:

“The services are minimal and nowhere near sufficient to meet the needs of either the institution or the juveniles. Even the food provided to the children comes from charitable donors³⁸.”

36. An interview conducted by Mwatana for Human Rights activist with a member of the Primary Juvenile Prosecution Office in Amanat Al-Asimah Sana'a, January 20, 2026.

37. An interview conducted by Mwatana for Human Rights with a social worker at the Social Welfare Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

38. An interview conducted by Mwatana for Human Rights with an official at the Social Welfare Home in Al-Ta'izziyah District, Taiz Governorate, February 7, 2026.

According to some respondents, these financial constraints have reached a critical level. One participant explained:

“Juvenile care institutions are suffering from severe shortages in food allocations. The administration has been forced to prioritise between basic necessities by diverting funds originally allocated for clothing -such as budgets for towels and shoes- to cover deficits in essential food supplies. As a result, the quality of meals has deteriorated to the point where we are only rarely able to provide fruit to the juveniles³⁹.”

A social worker at the Juvenile Care Institution in Ibb similarly stated:

“We literally beg restaurants to feed them... We go to restaurants and plead with them to provide one or two meals for the juveniles⁴⁰.”

Juvenile care institutions also lack the basic facilities required to provide adequate healthcare for children. As one respondent explained:

“The institution has only a small office that lacks even the most basic medical equipment. It contains nothing more than a few simple medicines -there are not even basic first- aid supplies such as bandages. There is also no budget allocated for medical emergencies⁴¹.”

Psychological care is equally limited due to the absence of permanently assigned mental health professionals in juvenile care institutions⁴².

The same shortcomings extend to programmes for education, vocational training, rehabilitation, and social reintegration. One respondent stated :

“We do not have any vocational training programmes at the institution. There are no workshops where children can learn trades such as carpentry, nor are there computer laboratories to equip them with skills for future employment⁴³.”

39. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

40. An interview conducted by Mwatana for Human Rights with a social worker at the Juvenile Care Home in Ibb Governorate, February 4, 2026.

41. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

42. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

43. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

Nor do most institutions provide playgrounds or child-friendly recreational spaces. As another respondent observed:

“The children spend most of their time in their rooms. They do not engage in any intellectual or physical activities because there are no specialised social workers or educational games that could help stimulate their cognitive development.”⁴⁴

Some juvenile care institutions offer basic literacy programmes, while a few allow children to continue their primary education where a nearby school is available⁴⁵. Most institutions, however, are limited to providing basic instruction in Arabic, mathematics, and science and are unable to offer alternative educational programmes for juveniles who have dropped out of school⁴⁶.

According to a number of respondents, the inadequate physical infrastructure of juvenile care institutions, their poor facilities, and the severe shortage of financial resources mean that placement in these institutions has become punitive rather than rehabilitative⁴⁷. As one respondent explained :

“Because of the lack of resources and the consequences of the armed conflict, these institutions have effectively become detention centres devoid of a rehabilitative environment or psychological support. What happens now is that a child enters the institution and simply spends time with other juveniles. Instead of having their behaviour corrected, they often acquire even more negative behaviours from one another. As a result, the institution itself becomes a source of harmful behavioural and psychological effects on the child.”⁴⁸

In many cases, respondents added, the principal benefit of juvenile care institutions is merely that they protect children from the immediate dangers they would otherwise face in ordinary prisons⁴⁹.

44. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Taiz City, Taiz Governorate, February 3, 2026.

45. An interview conducted by Mwatana for Human Rights with a social worker at the Juvenile Care Home in Ibb Governorate, February 4, 2026.

46. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Taiz City, Taiz Governorate, February 3, 2026.

47. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Taiz City, Taiz Governorate, February 10, 2026.

48. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (social expert) in Taiz City, Taiz Governorate, February 4, 2026.

49. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.M.Sh. in Marib Governorate, January 29, 2026.

III. Shortage of Qualified Personnel and the Absence of Specialised Training

Specialised juvenile courts and prosecution offices suffer from a shortage of judicial personnel with expertise in juvenile justice. In practice, judges are frequently reassigned from ordinary courts to serve as juvenile judges without receiving any specialised training or preparation⁵⁰. Consequently, judicial personnel rely primarily on their general experience in adjudication rather than on specialised legal knowledge of restorative justice principles or the requirements of child-sensitive and fair juvenile proceedings⁵¹. Juvenile judges receive no dedicated induction or professional training. As one juvenile court judge in Ibb explained:

"I was appointed as a juvenile judge even though I had never handled a juvenile case before. So I obtained case files from the judge who preceded me and began reviewing and studying them on my own... I was never given any training before being appointed as a juvenile judge⁵²."

Moreover, personnel working in specialised juvenile courts and prosecution offices do not receive regular or specialised training on how to deal appropriately with children in conflict with the law. This significantly limits their ability to understand children's psychological and social needs, identify appropriate diversionary and alternative measures, and deliver effective restorative justice. It also adversely affects the quality of judicial procedures and decision-making⁵³.

Social experts likewise perform their duties primarily on the basis of personal experience or their general academic qualifications, without receiving specialised training in juvenile justice or in the preparation of social inquiry reports. One social expert observed:

50. An interview conducted by Mwatana with a Juvenile Court judge in Taiz City, Taiz Governorate, February 25, 2026.

51. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Marib Governorate, January 28, 2026.

52. An interview conducted by Mwatana with a Juvenile Court judge in Ibb Governorate, January 31, 2026.

53. An interview conducted by Mwatana with a female Juvenile Court judge in Marib Governorate, January 27, 2026.

“Based on practical experience, social experts do not receive regular or specialised training on a consistent basis. Training is generally limited to occasional or intermittent courses, which are usually linked to temporary projects implemented by local or international organizations rather than forming part of a sustainable institutional training programme⁵⁴.”

Similarly, juvenile care institutions face a severe shortage of qualified personnel, largely because of the limited number of professionally trained social workers available. One official at the Juvenile Care Institution in Taiz City stated:

“We lack qualified and highly experienced staff. Most of those working here are volunteers⁵⁵.”

A supervisor at the Juvenile Care Institution in Aden likewise reported that the institution does not have a sufficient number of social workers and psychologists relative to the number of resident juveniles. According to the supervisor, the institution suffers from a shortage of specialised personnel, particularly in the fields of psychological support and behavioural counselling, which adversely affects the quality of individual follow-up and case management provided to each child⁵⁶.

A lawyer specialising in juvenile cases similarly explained:

“The juveniles spend most of their time in their rooms within the institution without engaging in any intellectual or physical activities that could contribute to their cognitive development because there is no specialised staff⁵⁷.”

The scarcity of qualified psychologists is particularly acute, substantially limiting the ability of juvenile care institutions to provide continuous and effective individual and group psychosocial support.

54. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (social expert) in Marib Governorate, January 25, 2026.

55. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Taiz City, Taiz Governorate, February 3, 2026.

56. An interview conducted by Mwatana for Human Rights with a female supervisor at the Juvenile Care Home in Aden, February 19, 2026.

57. An interview conducted by Mwatana for Human Rights with the lawyer representing a child in conflict with the law in Al-Ta'izziyah District, Taiz Governorate, February 3, 2026.

Staff working in juvenile care institutions also operate under difficult and, in many cases, deeply discouraging conditions because of limited resources and poor living standards. An official at the Juvenile Care Institution in Al-Ta'izziyah District, Taiz, explained: "The institution suffers from a shortage of social workers and psychologists. We have only the two social experts appointed by the Ministry. This is due to the lack of resources and the irregular payment of salaries, which has caused many of them to stop reporting for work because they can no longer afford transportation costs⁵⁸."

Employees of juvenile care institutions rarely receive specialised professional training. As one respondent stated: "We receive no training whatsoever - not even on an irregular basis - despite our urgent need for it⁵⁹."

Another added: "Training is extremely rare... the last training session was ten years ago⁶⁰."

IV. Weak Coordination Among Institutions Responsible for Juvenile Justice

Yemen's juvenile justice system comprises a wide range of legal institutions and bodies concerned with children in conflict with the law. These include specialised juvenile courts, juvenile prosecution offices, juvenile police units, juvenile care institutions, the Technical Committee within the Ministry of Justice, Case Management Offices, the Child Department within the Ministry of Interior, the General Directorate for Family Protection, and relevant government ministries -including the Ministries of Social Affairs and Labour, Interior, Justice, and Health- as well as other competent institutions.

58. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Al-Ta'izziyah District, Taiz Governorate, February 7, 2026.

59. An interview conducted by Mwatana for Human Rights with a social worker at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

60. An interview conducted by Mwatana for Human Rights with an official at the Social Welfare Home in Taiz City, Taiz Governorate, February 3, 2026.

The effectiveness of the specialised juvenile justice system, and its ability to deliver justice that is fair and responsive to the needs, best interests, and future prospects of children, depends on effective coordination among these institutions. It also requires institutional integration through formal coordination mechanisms, a unified referral system, and regular inter-agency meetings to improve the timeliness of responses and the effectiveness of case follow-up⁶¹.

For example, several respondents noted that the outcomes of training programmes delivered by government agencies for social workers are not linked to the institutions responsible for providing services, such as juvenile guidance and care institutions. As a result, those who actually work in these institutions are often not the individuals who have received the training, reflecting weak coordination between the agencies responsible for training and the providers of social care services⁶².

The capacity of institutions responsible for juvenile justice to maintain sustainable institutional coordination has also deteriorated significantly. This has undermined their ability to provide institutional protection for children, ensure access to legal assistance and effective legal aid, monitor juvenile cases and the legality of procedures applied throughout all stages of criminal proceedings, and safeguard children against torture and other forms of ill-treatment.

The armed conflict has imposed severe constraints on coordination among social welfare agencies, limiting their ability to conduct regular field follow-up of juveniles⁶³, facilitate access to all areas for the collection of social information, and provide appropriate support in cooperation with the relevant authorities. Security conditions have likewise impeded the regular monitoring of juvenile cases in the field⁶⁴.

61. An interview conducted by Mwatana for Human Rights with a social worker in Amanat Al-Asimah (Sana'a), February 10, 2026.

62. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana'a on May 7, 2026.

63. An interview conducted by Mwatana for Human Rights with a social worker at the Case Management Unit of the Social Affairs Office in Aden, February 19, 2026.

64. An interview conducted by Mwatana for Human Rights with a social worker at the Case Management Unit of the Social Affairs Office in Aden, February 19, 2026.

Furthermore, the conflict has fragmented efforts to combat violations against children⁶⁵, restricted access to places of detention, and created security risks associated with the politicisation of juvenile cases, particularly those involving child recruits or children detained for reasons related to the conflict⁶⁶.

Institutional fragmentation and cumbersome administrative procedures have also hindered the ability of civil society organizations working to protect children's rights to obtain the necessary authorisations from the competent authorities and to coordinate effectively with them in order to provide continuous services to children in conflict with the law.

V. Absence of Accountability and Weak Judicial Oversight

Article 46 of the Juvenile Welfare Law No. 24 of 1992, as amended, provides special legal protection for children in conflict with the law. Paragraph (a) of this article prescribes a penalty of three years' imprisonment for any person who exposes a child to delinquency by preparing, assisting, inciting, or facilitating such conduct by any means, even if the child does not ultimately engage in delinquent behaviour⁶⁷.

The prescribed penalty is doubled where the offender uses coercion or threats against the child, or where the offender is a parent, guardian, educator, supervisor, or any other person entrusted with the child's care pursuant to the provisions of the Juvenile Welfare Law.

Paragraph (b) of the same article provides for a penalty of imprisonment for up to six months for any person who violates the provisions of Articles 11 and 36 of the Juvenile Welfare Law. Consequently, any judicial officer who acts in contravention of these provisions is, by law, subject to the penalty prescribed under Article 46(b), namely imprisonment for a period not exceeding six months.

65. An interview conducted by Mwatana for Human Rights with a specialist from the Women and Children Department at the Ministry of Justice in Aden, February 4, 2026.

66. An interview conducted by Mwatana for Human Rights with the Chairperson of the Al-Amal Cultural and Social Women's Foundation in Mukalla, Hadhramaut Governorate, February 1, 2026.

67. The seven circumstances of vulnerability to delinquency set forth in Article (3) of this Law.

A child found to fall within any one of these circumstances is deemed a child at risk of delinquency.

Article 36 further stipulates that a child under the age of ten who commits a criminal offence may not be subjected to any punishment or measure provided for under the Crimes and Penalties Law. Accordingly, Article 46(b) requires the imposition of a six-month term of imprisonment upon any person who issues a judgment applying the penalties prescribed by the Crimes and Penalties Law to a juvenile offender, since Article 36 establishes a separate and exclusive system of measures specifically applicable to juveniles.

In addition, the general provisions on criminal accountability contained in the Crimes and Penalties Law and the Code of Criminal Procedure apply where acts of torture, ill-treatment, or unlawful detention of a child are established. The law also guarantees children and their legal guardians the right to lodge complaints and to challenge unlawful decisions or procedures before the courts. It further provides for judicial oversight of places of detention and juvenile care institutions through supervision of the implementation of judicial decisions affecting juveniles and the review of reports concerning the execution of judicial measures.

The Public Prosecution and the Juvenile Prosecution are entrusted with investigating violations and initiating the appropriate legal proceedings. Accountability mechanisms also include disciplinary oversight exercised through the Judicial Inspection Authority, the inspection bodies of the Ministry of Interior, and the Central Organization for Control and Auditing.

With the exception of the periodic reports submitted by juvenile care institutions to the competent courts concerning the implementation of judicial measures, oversight and accountability mechanisms remain of limited effectiveness in practice. For example, judicial inspections conducted through periodic and unannounced visits to places of detention are described by respondents as largely “procedural and ceremonial, lacking the rigour necessary to detect hidden violations such as degrading treatment or neglect of healthcare⁶⁸.”

68. An interview conducted by Mwatana for Human Rights with a member of the Seiyun Primary Prosecution Office in Hadhramaut Governorate, February 1, 2026.

According to respondents, the weakness of oversight and accountability for violations involving children in conflict with the law is attributable to several interrelated factors. These include the collapse of the central judicial inspection system as a consequence of the armed conflict; inadequate follow-up and the difficulty of holding responsible authorities accountable in a context characterised by widespread impunity⁶⁹; and the absence of precise criminal classification for certain forms of misconduct against juveniles, which are frequently treated merely as administrative infractions warranting lenient disciplinary sanctions rather than as criminal offences requiring prosecution⁷⁰.

These shortcomings are compounded by low public awareness of the importance of submitting and pursuing complaints, inadequate documentation of violations, insufficient resources for monitoring abuses, and delays in judicial proceedings. Collectively, these factors render accountability mechanisms inconsistent and, in many cases, ineffective as a deterrent⁷¹.

69. An interview conducted by Mwatana for Human Rights with a judge at the Seiyun Primary Court in Hadhramaut Governorate, January 27, 2026.

70. An interview conducted by Mwatana for Human Rights with the Chairperson of the Al-Amal Cultural and Social Women's Foundation in Mukalla, Hadhramaut Governorate, February 1, 2026.

71. An interview conducted by Mwatana with a female judge of the Juvenile Court in Marib Governorate, January 27, 2026.

SECTION . Three

The Stages and Procedures
of Prosecuting Children in
Conflict with the Law
in Practice

There is a clear gap between the law and actual practice with regard to the rights of children accused or convicted of criminal offences and the legal and procedural safeguards afforded to them throughout the criminal justice process. Many of these rights are routinely undermined through procedural irregularities, unlawful practices, and conduct that may constitute violations of the Juvenile Welfare Law, the broader framework of national legislation, and the relevant international standards.

According to many of the respondents interviewed for this paper -including juvenile court judges, juvenile prosecutors, social experts, lawyers, and social work specialists- this gap is most pronounced during the initial stages of criminal proceedings. In particular, it is evident during the apprehension and evidence-gathering stage, where investigations are frequently conducted by law enforcement authorities that lack legal jurisdiction over juvenile cases. It is equally apparent during the execution of judicial decisions, whether in the form of rehabilitative measures or criminal sanctions.

A common challenge affecting both stages is the almost complete absence of specialised institutional structures capable of dealing with children in a manner appropriate to their age, legal status, and particular vulnerabilities. Equally problematic is the lack of juvenile care institutions capable of implementing judicial measures and court orders in a way that fulfils their intended rehabilitative and educational objectives.

Although the later stages of the criminal process -namely prosecution investigations, trial proceedings, and the imposition of judicial measures or criminal sanctions- are likewise affected by procedural shortcomings and infringements of certain legal safeguards afforded to children accused or convicted of criminal offences, respondents consistently indicated that judicial practice during the investigation and trial phases demonstrates a comparatively higher level of compliance with the legal and procedural guarantees protecting children's rights than is observed during the apprehension and enforcement stages. At the same time, respondents emphasised that the degree of compliance varies considerably from one governorate to another and, in some cases, even within the same governorate.

Overall, the findings derived from the analysis of interviews with children, together with the documentary evidence and field cases examined in this study, substantiate the assessments provided by the expert and practitioner respondents referred to above.

I. Apprehension and Preliminary Inquiry Stage

The absence of an institutional framework for juvenile justice -particularly the lack of specialised juvenile police units- constitutes a fundamental deficiency in Yemen's juvenile justice system. This significantly undermines the implementation of legal safeguards designed to protect children during this critical stage of the criminal justice process, including the requirement to separate children from adults while in police custody. The principal patterns of legal violations and procedural irregularities observed during this stage include the following:

1. Collection of Preliminary Evidence by Ordinary Police Stations

Yemeni legislation does not establish specialised police units responsible for handling juvenile cases, even in major cities. Indeed, the term "juvenile police" does not appear in any statutory provision, despite its widespread use among practitioners. Instead, the law implicitly assigns responsibility for apprehending, arresting, and temporarily detaining children suspected or accused of criminal offences to ordinary police stations and other security agencies vested with judicial police powers under the Code of Criminal Procedure, without requiring their personnel to receive specialised training in dealing with children.

This understanding is derived from Article 11 of the Juvenile Welfare Law, which authorises ordinary police stations and security agencies to apprehend, arrest, and temporarily detain juvenile suspects. However, the law distinguishes between the authority to apprehend a child and the authority to conduct the preliminary inquiry (collection of information and evidence). While the former remains vested in ordinary police and security agencies, the latter is reserved exclusively for social service officers appointed by decision of the Minister of Social Affairs and Labour, in consultation with the Minister of Justice, in accordance with qualifications prescribed by the Executive Regulations.

Within their respective jurisdictions, these officers are responsible for :

“Investigating cases of juvenile delinquency, tracing juvenile offenders, receiving and examining reports and complaints, collecting preliminary evidence and information concerning them, recording such information in official reports, and referring those reports to the competent authority⁷².”

Field data collected for this study indicate that all juveniles apprehended in the documented cases were arrested by ordinary police stations, general security departments, or other law enforcement bodies, including the Criminal Investigation Department, the Morality Police, the Traffic Police, as well as neighbourhood aqils (community leaders) and security supervisors.

Only a very small number of the children included in the study were referred immediately after their arrest to Case Management Offices (Ministry of Social Affairs and Labour) or to Family Care Offices, where specialised personnel were responsible for interviewing them, collecting preliminary evidence, and referring their cases to the Public Prosecution. In almost all other cases, children remained detained in police stations or security facilities throughout the preliminary inquiry stage without being transferred to juvenile care institutions.

Even in governorates where specialised institutions exist—such as Sana’a, Aden, Al Hudaydah, and Taiz—the study found that, for the majority of children interviewed, or whose lawyers were interviewed, the collection of information and preparation of preliminary inquiry reports had been carried out by police or security agencies that lack legal competence to perform these functions in juvenile cases.

This finding points to the near-total absence of the specialised authorities legally entrusted with conducting preliminary inquiries involving children. In practice, it effectively eliminates any distinction between governorates that possess these specialised institutions as components of the juvenile justice system and those that lack them altogether. More importantly, it deprives children of their legal right to be interviewed by qualified personnel specifically trained to deal with juveniles.

72. Law No. (24) of 1992 concerning the Welfare of Juveniles, as amended, Article (6).

In the limited number of cases where the general law enforcement authority (ordinary police stations) referred an arrested juvenile to the authority legally mandated to conduct preliminary inquiries in juvenile cases, a marked difference was observed in the manner in which the child was treated, consistent with his legal rights, compared with cases in which general law enforcement authorities themselves took the juvenile's statement. One significant example is the case of juvenile I.J.M.F. from Al Hudaydah Governorate, who was nine years old at the time of the alleged offense (the theft of a water-pump).

In late December 2025, the neighborhood chief ('Aqil) of Al-Sab'een Street, accompanied by a soldier from Al-Bayda Police Station, arrived at the child's home on Al-Sab'een Street at approximately 4:00 p.m. They took him while he was playing in the street and brought him to the police station. He was detained for two days together with adults, during which he was beaten with hands all over his body and slapped in the face. His father was not permitted to be present with him, and he was forced to place his fingerprint on documents without knowing their contents. The child stated: "I was beaten with hands all over my body and slapped in the face."

The child was subsequently transferred to Al-Ra'ini Police Station, which has a Family Protection Unit. There, the head of the Family Protection Unit took his statement without intimidation or coercion. He was then transferred directly to the Juvenile Care and Rehabilitation Home, where he remained for only one day. The Juvenile Prosecution conducted its investigation over the following two days and released him on a personal recognizance guarantee. He was later tried while at liberty, convicted, and the court deemed the period already spent in detention sufficient to satisfy the judicial measure imposed.

The principal violation of the juvenile's legal safeguards at this stage consists of detaining the child in facilities operated by general law enforcement authorities without complying with the detention standards prescribed by the Juvenile Welfare Law. In addition, these authorities initiated criminal proceedings against the juvenile and referred the case directly to the Public Prosecution without first referring him to the Family Protection Department of the Ministry of Justice, the Child Department of the Ministry of Interior, or ensuring the presence of a social worker while taking his statement, and without coordinating with the Case Management System.

The violation of a juvenile's right to give a statement before a competent administrative authority, or in the presence of a social worker, creates the conditions for further abuses committed by some police officers and personnel of general law enforcement agencies against children. These abuses stem from their limited awareness of juveniles' legal rights, the absence of specialized training enabling them to deal appropriately with children and assess their psychological and social circumstances, and their tendency to treat juveniles in the same manner as adults.

2. Arrest Procedures Incompatible with the Juvenile's Age

The Yemeni Code of Criminal Procedure does not provide for special procedures governing the arrest of children suspected of committing criminal offenses. As a result, judicial police officers deal with children who are the subject of complaints or criminal reports in accordance with the general arrest procedures applicable to adults, often accompanied by procedural violations that differ little from those occurring in adult arrests. Documented cases include children being arrested late at night or during public holidays⁷³; children being arrested together with their parents or other family members, who were also detained; and cases in which victims themselves forcibly took children to police stations without facing any legal accountability, particularly in cases involving pickpocketing allegedly committed by children engaged in street begging.

For example, juvenile M.S.M.Sh., a 13-year-old from Ibb Governorate accused of committing sodomy with a younger child and detained in a Juvenile Care and Guidance Home pending trial, described the circumstances of his arrest as follows:

"They came in a military vehicle carrying eleven soldiers and took me, together with my father, from inside our home while we were having dinner."

73. An interview conducted by Mwatana with a juvenile defense lawyer in Al Hudaydah, February 24, 2026.

3. Deprivation of Liberty Instead of Release

In some cases, judicial law enforcement authorities released juveniles -some of whom had been arrested for the first time- particularly where the child's parent accompanied the juvenile and the allegations involved non-serious offenses. In such instances, the arresting authority merely warned the child's guardian or released the accused juvenile into the custody of his guardian upon a personal recognizance undertaking to produce the child whenever required, as an alternative to detention. In general, however, the prevailing practice of judicial law enforcement authorities is to deprive arrested juveniles of their liberty without due regard for their age. The study documented cases involving children under the age of twelve who were detained in connection with non-serious criminal cases despite their guardians' willingness to provide a personal recognizance guarantee. In some of these cases, the father remained with the young child throughout the detention period out of concern that the child might be subjected to abuse while in custody.

Juvenile A.A.A.A.B., a 13-year-old from Ibb Governorate accused of sodomy, who was detained in a police station for one week and is currently held in a Juvenile Care and Guidance Home pending trial, stated:

"When they detained me at the police station, my father stayed in detention with me and refused to let them keep me alone with the criminals."

On the other hand, most cases involving female juveniles accused of non-serious offenses are resolved through restorative justice mechanisms at police stations⁷⁴. The study identified examples of restorative justice practices conducted by judicial law enforcement authorities, particularly ordinary police stations, which resulted in the release of male juveniles following reconciliation or the complainant's withdrawal of the complaint. However, the scope of this practice remains extremely limited and is largely confined to minor incidents, such as pickpocketing committed by children engaged in street begging. Police stations in major governorate centers, including Sana'a, Aden, and Taiz, are criticized for their failure to refer cases to the authorities responsible for implementing restorative justice -such as the Case Management Department- in order to spare children from detention or referral to the Public Prosecution in accordance with the child's best interests.

74. Consultative session convened by Mwatana for Human Rights in Sana'a on December 25, 2025.

4. Detention of Juveniles Together with Adults

Police stations and security agencies generally lack dedicated facilities for the detention of juveniles over the age of twelve when detention is deemed necessary. Consequently, arrested male juveniles are typically held in facilities that are not physically separated from adults. The study documented cases in which children under the age of twelve were detained alongside adults, as well as cases where juveniles were held in police stations or security facilities together with adult suspects accused of serious criminal offenses.

For example, juvenile M.M.G.S., a 14-year-old from Al-Ta'ziyah District in Taiz Governorate, reported that he was detained by the Criminal Investigation Department for eight days alongside eight adult detainees who, according to his account, were accused of serious criminal offenses.

In some instances, police stations' attempts to comply with the legal requirement to separate juveniles from adults effectively become punitive because of the absence of appropriate juvenile detention facilities. Instead of being held separately in suitable accommodation, juveniles are placed alone in dark and unsuitable locations, such as officers' offices or other cramped spaces within police stations that were never intended for detention.

Female juveniles, by contrast, are often released shortly after arrest or handed over to their families by police stations. Other law enforcement authorities - particularly security directorates - generally detain them in women's detention facilities under their control or transfer them to women's sections of central correctional facilities, where they are held alongside adult female prisoners due to the absence of specialized juvenile care institutions for girls.

Juvenile A.A.A.S.S., a 13-year-old girl from Marib City accused of theft and currently held in a Juvenile Care and Guidance Home pending trial, was detained by the Criminal Investigation Department for two days together with adult women and younger girls. Similarly, juvenile H.M.M.G., a 15-year-old girl from Saqin District, Saadah Governorate, who was accused and later convicted of adultery, was arbitrarily detained for two months in the Security Prison in Saqin District together with adult female prisoners.

5. Exceeding the Statutory Time Limit for Custody

Most of the juveniles interviewed stated that their detention in police stations did not exceed the statutory limit of 24 hours. However, actual detention periods in the custody of other law enforcement agencies—particularly Security Directorates and the Criminal Investigation Department—generally ranged from two weeks to one month, with a small number of cases in which children remained in custody for more than one month before being referred to the Public Prosecution.

In other cases, police initially detained juveniles and then transferred them to other law enforcement authorities -usually Security Directorates- instead of referring them directly to the Public Prosecution. This practice effectively transformed lawful temporary custody into arbitrary detention and significantly prolonged the period of deprivation of liberty.

The study also documented a limited number of cases in which juveniles remained in police custody for prolonged periods. One such case involved juvenile A.M.A.G., a 14-year-old from Saadah Governorate accused of stealing a mosque battery, who was subsequently released on bail by the court during judicial proceedings that lasted more than three months. According to his lawyer, the child was arbitrarily detained in a police station detention facility for three months and placed in a cell with adult prisoners. The lawyer further stated:

“The child was subjected to sexual harassment and was unable to sleep for sufficient hours out of fear for his safety from the adult inmates.”

The lawyer also reported that the child was deprived of several fundamental legal safeguards throughout his unlawful detention at the police station, including:

“...the failure to notify the child’s guardian of his detention and whereabouts; subjecting the child to interrogation without the presence of a guardian or lawyer; exposing him to humiliation, threats, and beatings; and forcing him to sign a document without knowing its contents... He was not even given sufficient time to read what had been written on it⁷⁵.”

75. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.A.Gh. in Saadah Governorate, January 25, 2026.

6. Violation of the Arrested Juvenile's Right to Protection and Legal Assistance

In most cases, general judicial law enforcement authorities inform arrested juveniles of the reasons for their detention and the charges brought against them. However, notification of their families does not occur immediately following the arrest. Instead, the first hours after apprehension typically pass without informing the juvenile's guardian or other responsible family member of the child's whereabouts.

As a result of this delayed notification, the safeguard of prompt notification loses its legal purpose, since the child has already endured the fear and distress associated with arrest and the immediate period thereafter. More importantly, the failure to notify the family immediately after the juvenile's apprehension is often deliberate, enabling law enforcement officers to question the child and obtain statements in the absence of a parent or guardian. This practice is evidenced by cases in which juveniles were arrested in the presence of their guardians from the very outset, yet the arresting authorities nonetheless refused to allow the guardian to be present during questioning and intentionally separated the child from the guardian during interrogation. Juvenile M.S.M.Sh., who was detained for an entire week at a police station in Ibb Governorate, stated:

"My father was at the police station, but when they questioned me, they made him leave the room."

Similarly, lawyers reported that some judicial law enforcement officers refused to allow legal counsel to meet with juvenile detainees during the initial hours of detention⁷⁶. Some further indicated that certain law enforcement personnel exploited the absence of a lawyer to pressure children into confessing through the use of coercive methods. One lawyer stated:

"Some police officers deliberately interrogate juveniles without a lawyer present so they can question them however they wish. In many cases, they also torture and intimidate them into confessing to the charges against them, and then force them to affix their thumbprint to those statements⁷⁷."

76. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.S.K., who was charged with theft in association with others, Sana'a, February 28, 2026.

77. An interview conducted by Mwatana for Human Rights with the lawyer representing a child in conflict with the law in Al-Ta'izziyah District, Taiz Governorate, February 3, 2026.

The absence of protection for arrested juveniles extends beyond the denial of legal assistance. It also encompasses the exclusion of social workers during the initial stages of arrest and detention in police stations -the stage that many respondents considered the period in which children are most vulnerable to abuse.⁷⁸ General judicial law enforcement authorities routinely fail to summon a social worker immediately after a juvenile's arrest to assist the child in coping with the psychological pressures of detention, a practice that respondents described as "a failure to safeguard the child's psychological well-being".⁷⁹ Overall, the role of social workers during the detention stage is almost entirely absent⁸⁰.

7. Cruel and Degrading Treatment of Juveniles

Most of the juveniles interviewed stated that they had not been subjected to cruel treatment following their arrest or during detention by general judicial law enforcement authorities. However, other interviewees reported the opposite, describing incidents in which they were beaten, slapped, kicked, verbally abused, or threatened in order to force them to confess.

For example, juvenile A.M.A.K., a 12-year-old from Aden, was subjected to cruel treatment at a police station in an effort to compel him to confess to a kidnapping charge.

In Ibb Governorate, juvenile A.A.Q.Sh., an 11-year-old accused of theft who was placed in a Juvenile Care and Guidance Home and remains on trial, earned a living by collecting empty bottles near a factory to support his family. While doing so, he found some empty cardboard boxes and a discarded metal pipe, which he took. When the factory owner saw him, he took the child to the Criminal Investigation Department, where he was accused of theft and detained for approximately two weeks alongside adult detainees. During his detention, he was subjected to cruel treatment:

"When they put me in jail, one of the officers slapped and beat me and threatened that if I did not confess, he would throw a concrete block at me."

78. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.A.Gh. in Saadah Governorate, January 25, 2026.

79. An interview conducted by Mwatana for Human Rights with a social worker in Taiz Governorate, January 26, 2026.

80. Consultative session convened by Mwatana for Human Rights in Sana'a on December 25, 2025.

The child further stated that he was placed on several occasions in a dark underground basement.

Juvenile I.A.M.I., a 13-year-old boy from Wasab Al-Safil District in Dhamar Governorate accused of sodomy, recounted: “My father took me to the Security Directorate to file a complaint against the classmates who had sexually assaulted me. Instead, they arrested me and kept me in detention with adults for a month. During my detention, they pinched my ears and threatened to beat me like they had beaten the other boys. They interrogated me between one and three o’clock in the morning after forcibly waking me by pouring water over me while I was asleep. This continued for two weeks.”

Similarly, while A.M.A.K. -a marginalized child- was collecting plastic bottles in one of the neighborhoods of Aden, he was arrested, detained for one week, and held together with adult detainees. During his detention, he was beaten with electrical cables, slapped across the face, and subjected to electric shocks on his fingers. When his father came to the police station, he too was detained and beaten in front of the child in an attempt to force the juvenile to confess⁸¹.

In rare instances, inhuman treatment by some members of general law enforcement authorities continued throughout the entire period of detention, even after the juvenile had confessed. Juvenile A.A.A.Q.A., a 14-year-old from Mawiyah District in Taiz Governorate, who was accused of sodomy, later released, and is awaiting transfer to his family, reported that he was forced to clean the offices of the Security Directorate where he had been arbitrarily detained for two months.

81. According to the child’s testimony, he was approached by a man who asked him to go to three children playing near their homes and tell them that their father wanted them to come with him for an outing. The child did as requested, and the man gave him a small amount of money. According to the child’s account, he accepted the money in surprise, wondering how he could be paid simply for asking the children to follow “their father.” Subsequently, the families of the abducted children reported the incident to the police. A review of surveillance camera footage revealed that the child had lured the children and handed them over to an unknown man.

II. The Prosecution Investigation Stage

Yemeni law does not provide for the establishment of specialized juvenile prosecution offices. The existing “Juvenile Prosecution Offices” in certain governorates were created through administrative decisions following the establishment of specialized Juvenile Courts pursuant to Presidential Decree No. (28) of 2003, issued by the then President of the Republic in his capacity as Chairman of the Supreme Judicial Council, concerning Juvenile Courts. Accordingly, the Public Prosecution retains the original jurisdiction to investigate and dispose of juvenile cases. This is explicitly affirmed by Article (2) of the Juvenile Welfare Act, which provides that “the Public Prosecution shall undertake the investigation and disposition of juvenile cases.”

At the same time, Yemeni law establishes special rules and procedures governing the investigation of children accused of criminal offences, taking into account the nature of the offence, the child’s age, and his or her personal, social, and family circumstances. It requires that investigations be initiated immediately and that juvenile cases be handled expeditiously, classifying them as urgent matters pursuant to Article (13) of the Juvenile Welfare Act. During questioning and investigation, prosecutors are required to take into consideration the child’s age, the seriousness of the alleged offence, the child’s physical and mental condition, the circumstances in which the child was raised and has lived, and other elements relevant to assessing the child’s personality (Article 8 of the Juvenile Welfare Act).

The law further permits the release of the child during the investigation stage (and at all stages of the proceedings) where such release does not prejudice the administration of justice. Where the circumstances of the investigation require the child to be held in custody, Yemeni law requires that the child be placed in a juvenile welfare and rehabilitation institution for a period not exceeding one week, unless the court orders an extension, while ensuring the child’s availability whenever required. The Instructions of the Attorney General incorporate the statutory rules and procedures governing investigations in juvenile cases and supplement them with additional procedural safeguards designed to protect the best interests of the child. These include the following⁸²:

82. Attorney General’s Decision No. (20) of 1998 issuing the General Instructions for the Public Prosecution, Part Two, Chapter One, Juvenile Cases, Articles (461–477).

1. Social and Environmental Assessment: Before disposing of a juvenile case, prosecutors are required to verify the child's social and environmental background, the circumstances in which the child was raised, and the factors that led to the commission of the offence. This assessment must be conducted with the assistance of social workers and the child's parent or legal guardian, who should be questioned regarding the child's behaviour and moral character in order to enable the prosecution to make an appropriate decision in the case.

2. Broad Discretion to Discontinue Proceedings: Prosecutors are granted broad discretionary authority to dismiss juvenile cases or issue decisions not to proceed with prosecution. They are encouraged not to refer juvenile suspects for prosecution where it is likely that a warning or reprimand would constitute an adequate response.

3. Preference for Protective and Therapeutic Measures: The Instructions require prosecutors to refrain from seeking orders under the summary procedures system⁸³ in juvenile cases and instead recommend requesting the preventive measure or therapeutic intervention deemed most appropriate in light of the child's circumstances and the nature of the offence committed.

4. Verification of Placement Capacity: The prosecution must ensure that its orders, and any judicial decisions issued in juvenile cases, are capable of being implemented by conducting prior inquiries into the availability of places in vocational training centres, juvenile welfare institutions, and observation facilities. Priority for placement in such institutions is to be given to children whose age allows them to remain in those facilities for longer periods than others, while children with disabilities are not to be admitted to such institutions.

83. The Code of Criminal Procedure provides for a summary procedure that differs from both ordinary and expedited proceedings. Under this procedure, the Public Prosecution may settle offenses punishable only by a fine, as well as offenses punishable by arsh (monetary compensation for bodily injury under Islamic law), or refer the case to the court under summary proceedings. The court may then conduct a summary trial without requiring service of a written indictment on the accused. Instead, it is sufficient for the court to read the charge orally at the commencement of the trial, provided that the substance of the charge is recorded in the hearing minutes. Nor is it necessary to summon the accused to appear before the court if they are already present before the Public Prosecution. Code of Criminal Procedure (Republican Decree by Law No. (13) of 1994 concerning Criminal Procedure), Article (301).

5. Restrictions on Appeals by the Prosecution: The Instructions restrict the prosecution's right to appeal judgments issued in juvenile cases, even in cases where appeals are legally permissible, unless the charge is clearly established, an acquittal has been entered despite compelling evidence of guilt, or the sentence imposed is manifestly disproportionate to the seriousness of the offence. Any appeal must be determined as a matter of urgency.

6. Opportunity for Parental Intervention: Prosecutors are instructed not to expedite the trial of children who are beyond the control of their parents until the child's parent has been summoned and afforded sufficient time to consider whether the child's best interests require placement in a juvenile educational institution.

7. Special Identification of Enforcement Documents: The Instructions require all enforcement forms relating to juveniles to be marked in red ink with the word "Juveniles" to distinguish them from other enforcement documents. They also require that the age of the convicted child at the time of the commission of the offence be recorded on the enforcement form.

In practice, both the Public Prosecution and the specialized Juvenile Prosecution Offices strive to apply the fundamental standards of juvenile justice. However, the constraints imposed by the armed conflict, together with other challenges -particularly the shortage of specialized personnel- significantly limit their ability to do so. Nevertheless, recurrent patterns of procedural violations and infringements of children's rights continue to occur during the prosecution's investigation and disposition of juvenile cases. These violations primarily involve delays in investigative procedures, inadequate protection of the child's right to legal representation, and the failure of some prosecution offices to conduct a social assessment of the accused child as a basis for determining the most appropriate course of action. The principal unlawful practices observed during this stage are as follows :

1. Weak Commitment to Restorative Justice

The restorative justice initiatives undertaken by Juvenile Prosecution Offices frequently encounter numerous obstacles. These include the inability of the child or the child's family to compensate for stolen property (in theft cases), as well as the insistence of the victim on pursuing criminal proceedings in order to punish the child, even where the harm caused is minimal, often out of hostility toward the child's family. This is particularly common where the victim believes that the child acted at the instigation of his or her family. Consequently, accused children often become victims of broader family disputes and acts of reciprocal retaliation in a society that continues to treat children in conflict with the law much like adults. In such circumstances, efforts by Juvenile Prosecution Offices to achieve restorative justice are frequently unsuccessful.

Some children have appeared before the prosecution in cases involving relatively minor offences in which prosecutors could have ordered the child's release, placed the child under parental supervision, or sought an amicable settlement between the parties, rather than placing the child in institutional care, detaining the child in facilities lacking a child-friendly environment, or referring the case for trial.

For example, a lawyer in Aden reported the case of a child placed in the Aden Juvenile Welfare Institution pursuant to an order of the prosecution after the child kicked a sheep, causing its death without any intention to kill it. The prosecutor required the child to compensate the owner of the sheep as a condition for implementing a restorative justice settlement. However, the family's financial hardship prevented payment of the compensation, and the child remains confined in the institution⁸⁴.

In the Capital Secretariat (Sana'a), a juvenile defence lawyer described a case in which the prosecution failed to pursue restorative justice despite the absence of genuine criminal conduct. The child, Y.G.Q.S., aged 12, became involved in a fight with another child while playing, during which the injured child struck his nose against a stone, resulting in a fracture.

84. An interview conducted by Mwatana for Human Rights with the lawyer representing the child M.A. in Aden Governorate, January 27, 2026.

The lawyer explained:

“A 12-year-old child—at a legally sensitive age—was detained solely on the basis of an individual complaint. The arresting authority should instead have attempted family mediation or accepted a parental guarantee rather than immediately placing the child in institutional care, thereby exposing him to early psychological trauma⁸⁵.”

She further stated:

“The prosecution’s investigation focused exclusively on the criminal outcome (the fractured nose) while disregarding the surrounding circumstances (that the incident arose from a children’s quarrel). No social worker was called upon to assess the behaviour of the two children; instead, the case was treated simply as one of ‘intentional assault.’”

According to the lawyer, the prosecution acted unlawfully because it:

“Referred the case to court at the request of the injured child’s father. Legally, the prosecution had the authority to discontinue the proceedings in a case involving a children’s altercation, but instead it yielded to the father’s desire for ‘legal revenge.’ The father submitted a medical report documenting the injury while refusing to admit the injured child to a public hospital.”

In the lawyer’s opinion:

“Placing a child in a juvenile guidance institution for an incident involving nothing more than a fractured nose sustained during a fight between peers constituted an excessively harsh measure. The appropriate response should have been a formal reprimand or placement under parental supervision, coupled with an undertaking by the father to provide the necessary medical treatment, rather than exposing the child to the stigma associated with institutional confinement.”

85. An interview conducted by Mwatana for Human Rights with the lawyer representing the child Y.G.Q.S. in Amanat Al-Asimah (Sana’a), February 12, 2026.

2. Partial Compliance with the Guarantee of Prompt Investigation

In practice, both the Juvenile Prosecution Offices and the Public Prosecution demonstrate only limited compliance with the requirement to conduct prompt investigations. Although most of the children interviewed reported that their questioning lasted no more than one or two days, investigations involving other children continued for several days or even weeks. In some cases, children remained in custody for prolonged periods without the commencement of timely investigative proceedings.

This was the case of A.M.G.A., a 13-year-old child from Ibb Governorate accused of murder. He was ultimately convicted and sentenced to two years' imprisonment, yet he has remained incarcerated for more than four and a half years because the judgment also required payment of diyah (blood money), which neither he nor his family could afford. The prosecution placed him in a juvenile welfare institution, where the investigation remained pending for one and a half years, during which he was questioned in only five investigative sessions.

Similarly, A.M.M.Sh., aged 13, from Marib, remained in a Juvenile Welfare and Guidance Home for more than six months pending investigation into a theft charge, according to his lawyer. In Aden Governorate, the prosecution placed A.B.A.M., aged 11, in a juvenile welfare institution for two months while the investigation was ongoing. He was later convicted of stealing a mobile phone from a shop and released after the court ordered that he be placed under the custody of his legal guardian and credited the time already spent in institutional placement.

According to several respondents, the duration of pre-investigation placement depends on a number of factors, including the nature of the offence, the speed of judicial proceedings⁸⁶, the level of coordination between the prosecution and the juvenile welfare institution, and whether the child's case file is complete. Delays are particularly common where essential documentation is missing, such as identity documents or age assessment records.

86. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

A senior official at a juvenile welfare institution in Taiz (Al-Ta'izziyah District) explained:

“When a child's birth certificate is unavailable, the prosecution issues a referral to the forensic physician to determine the child's age. In many cases, the referral of juvenile defendants to trial is delayed because the forensic physician is unavailable, as there is only one officially accredited forensic doctor serving both Ibb and Taiz Governorates⁸⁷.”

Other factors influencing the duration of institutional placement include the extent to which the child's family and legal counsel actively follow up on the case. In the absence of such follow-up, pre-trial placement may be significantly prolonged. However, a lawyer in Marib also complained that investigations are frequently delayed because prosecution offices fail to comply with the statutory procedural time limits, making it difficult to advance juvenile cases⁸⁸.

Overall, according to officials from several juvenile welfare institutions, the average period during which children remain in institutional placement pending investigation ranges from one to three months⁸⁹. In exceptional cases -primarily those involving homicide- the child may remain in pre- trial detention for several years⁹⁰.

Prolonged institutional placement pending investigation effectively transforms juvenile welfare institutions from rehabilitative facilities into de facto temporary detention centres, while simultaneously placing enormous pressure on their already limited accommodation capacity⁹¹.

87. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Al-Ta'izziyah District, Taiz Governorate, February 7, 2026.

88. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.M.Sh. in Marib Governorate, January 29, 2026.

89. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

90. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

91. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

3. Pre-Trial Detention and Investigation in Penal Institutions

Yemeni law requires the prosecution conducting the investigation to place any child under the age of fifteen in a juvenile welfare institution whenever the circumstances of the case necessitate custodial detention for the legally prescribed period (one week, unless the court orders an extension). Where there are no grounds justifying detention, the law authorizes the prosecution to release the child into the custody of one of the parents or another legal guardian upon a personal guarantee to produce the child whenever required. The Attorney General's Instructions further encourage prosecutors, where appropriate, to dispose of juvenile cases through a reprimand or formal admonition rather than detention. The law also authorizes prosecutors to pursue restorative justice measures and expressly encourages their use.

In practice, where juvenile welfare institutions for boys or girls are available, prosecution offices generally comply with the legal requirement to place children in such institutions pending investigation. The principal difficulty arises in jurisdictions where no juvenile welfare and guidance institution exists and, at the same time, there are no legal or reasonable grounds for releasing the child into the custody of a guardian, issuing a formal warning or reprimand, or resolving the matter through other non-custodial measures.

This situation is particularly evident in governorates where no juvenile welfare institutions exist, such as Saadah and Dhamar, where children are instead detained in the Central Prison while criminal investigations are conducted. In Hadhramaut (Seiyun), accused children are routinely placed in the Juvenile Wing of the Central Correctional Facility (the general prison), where the prosecution conducts its investigations because there is no juvenile welfare institution in Seiyun (the only juvenile welfare institution in Hadhramaut is located in Al-Mukalla). In Marib, girls are detained in the women's prison during the investigation stage because no welfare institution exists for female children⁹².

92. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

Juvenile detention facilities are wholly inadequate as rehabilitative environments capable of meeting children's needs, including appropriate accommodation and essential services. For example, the juvenile detention facility in Seiyun consists of only three rooms measuring approximately 3 × 3 metres each, together with a small courtyard measuring 4 × 4 metres, and is located immediately adjacent to the women's prison⁹³.

The violation of a child's right to placement in a welfare institution during the investigation stage, however, is not solely attributable to institutional deficiencies. It is also reflected in the treatment experienced by children held in prisons and other detention facilities while investigations are pending.

This is illustrated by the case of A.A.A.S., a 13-year-old girl from Marib City accused of theft and currently placed in a Juvenile Welfare and Guidance Home pending trial. She was initially detained for two days at the Criminal Investigation Department before being transferred to the Central Women's Prison, where the prosecution conducted its investigation over a period of two months. She reported being subjected to inhuman treatment while detained:

"They used to make me clean and wash. Whenever I refused, they deprived me of food."

Furthermore, children under the age of twelve have been detained in public (central) prisons or in detention facilities attached to prosecution offices during the investigation stage, often in unsuitable conditions and without separation from adult detainees, while investigations continued for extended periods.

For example, S.S.A.A., a 12-year-old boy from Ibb Governorate who was later convicted of homicide and ordered to be placed in a Juvenile Welfare and Guidance Home pursuant to a judicial measure, spent three months in a detention facility located within the prosecution building pending investigation, where he was held together with adult detainees.

93. An interview conducted by Mwatana with the lawyer representing the child M.B.I.A. in Seiyun, Hadhramaut Governorate, January 28, 2026.

Where a child is placed in a juvenile welfare institution pending investigation, the specialized Juvenile Prosecution Office ordinarily assigns one of its prosecutors either to visit the institution and conduct the investigation there⁹⁴ or requests that the child be transported to the prosecution office for questioning. In Sana'a, for example, the Juvenile Prosecution Office and the Juvenile Court have been relocated adjacent to the juvenile welfare institution to facilitate these procedures⁹⁵.

By contrast, where the child is detained in a juvenile prison or in facilities operated by ordinary law enforcement agencies -such as police stations, security directorates, or other security premises holding juvenile suspects- it is common practice for the investigating prosecutor to travel to those facilities to conduct the investigation under physical conditions that are inappropriate for the child's age and psychological condition.

For instance, Kh.M.H.A., a 12-year-old boy from Ibb Governorate convicted of theft and sentenced to two months' placement in a juvenile welfare institution, was detained in a police station for one week following his arrest. He stated that the prosecution questioned him inside the police station.

Under such circumstances, it is difficult to exclude the possibility that prosecutors may be influenced by the coercive atmosphere prevailing in unlawful places of detention. Investigative sessions may also be conducted in the presence of, or under the supervision of, police or security personnel, thereby compromising the independence of the proceedings and depriving the child of important procedural safeguards.

One lawyer observed:

"In most districts, children are investigated inside security directorates while being detained there. I am not permitted to visit them, and information about their cases is deliberately withheld from me".⁹⁶

94. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Taiz City, Taiz Governorate, February 3, 2026.

95. An interview conducted by Mwatana for Human Rights with a member of the Primary Juvenile Prosecution Office in Amanat Al-Asimah (Sana'a), January 20, 2026.

96. An interview conducted by Mwatana for Human Rights with the lawyer representing the child S.A.M.Q., a 10-year-old girl, in Ibb Governorate, February 3, 2026.

Similarly, the lawyer representing A.M.A.G., a 14-year-old boy from Saadah accused of stealing a mosque battery, stated:

“He was investigated inside the police station under the supervision of police and security personnel, and the questioning was conducted in a manner consistent with the contents of the police records of preliminary inquiries⁹⁷.”

4. Investigation Procedures Incompatible with the Child’s Circumstances

In practice, prosecutorial investigations in juvenile cases generally adopt a predominantly criminal law-oriented approach, paying insufficient attention to the child’s social circumstances and the investigative social assessment required by law. The methods of questioning employed often differ little from those used when interrogating adult suspects⁹⁸.

In fact, there is a notable consistency in the accounts provided by respondents from different professional backgrounds -including social workers, lawyers, and prosecutors- who observed that prosecution offices, including specialized Juvenile Prosecution Offices, tend to focus primarily on the legal and criminal aspects of the case while giving inadequate consideration to the social dimension that the law requires. This is particularly evident because investigative interviews and interrogations of accused children are, in most cases, conducted without the presence of a social worker.

One respondent stated:

“The prosecution questioned the child during the first investigative session without the presence of either a social worker or the child’s lawyer. Moreover, no child-friendly environment appropriate to the child’s age was provided during the questioning at the Public Prosecution building, and access to the case file from the prosecution was not granted in a timely manner⁹⁹.”

97. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.A.Gh. in Saadah Governorate, January 25, 2026.

98. An interview conducted by Mwatana for Human Rights with a social worker at the Juvenile Care Home in Ibb Governorate, February 4, 2026.

99. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.S.K., who was charged with theft in association with others, Sana’a, February 28, 2026.

Furthermore, procedural violations occurring during the arrest and preliminary inquiry stage often have a continuing impact on the prosecution's subsequent investigation. Among these violations is the practice whereby police stations and security directorates transfer children and their case files to the Public Prosecution together with adult suspects¹⁰⁰, frequently without indicating the child's age. As a result, prosecutors initially treat the child as an adult, and it may take a considerable period before the prosecutor recognizes the child's status and begins handling the case accordingly.

Naturally, this particular problem does not arise in specialized Juvenile Prosecution Offices. However, other consequences stemming from irregularities during the arrest stage continue to affect juvenile investigations in a different manner. Although investigations conducted by Juvenile Prosecution Offices are expected to adopt a distinct approach by incorporating the child's social circumstances into the questioning -for example, by asking about the child's family environment, educational background, living conditions, peer relationships, and the difficulties encountered in those settings as potential factors contributing to the alleged offence- the complete absence of social workers during the arrest and preliminary inquiry stage significantly influences the manner in which juvenile prosecutors subsequently conduct their investigations. By the time the case reaches the prosecution, the narrative established by the arresting and investigating authorities has often become firmly embedded in the prosecutor's perception of the case, causing the investigation to proceed under the influence of that narrative rather than giving due consideration to the child's social circumstances.

One child described his experience as follows:

"I was shocked when the prosecutor became angry because I insisted that I had stolen only two goats. Suddenly, he slapped me hard across the face. It hurt terribly, and I burst into tears. Everyone was pressuring me to confess to crimes I had not committed. At that moment, I was terrified because there was no one there to stand by me or protect me from them. During the questioning, he kept telling me, 'You're a liar. You're a street kid.'"

100. An interview conducted by Mwatana for Human Rights with a member of the Seiyun Primary Prosecution Office in Hadhramaut Governorate, February 1, 2026.

The child, A.M.S.N., aged 13, from Al-Mukalla, Hadhramaut, was convicted of livestock theft and ordered by the Juvenile Court to be placed in a Juvenile Welfare and Guidance Home for six months as a judicial measure¹⁰¹.

101. The child grew up in a troubled family environment with his mother, her husband, and his two sisters, separated from his father, who lived in another governorate with his older sons. According to the child's testimony, he was repeatedly subjected to physical abuse by his stepfather, who resented his presence in the family's one-room home.

His first encounter with the justice system occurred when he was detained for one month in the Juvenile Welfare Institution in Mukalla on suspicion of stealing a motorcycle. The motorcycle had in fact been borrowed from a neighbor, but when he failed to return it on time, the owner reported it to the police. The case ultimately concluded with the Specialized Juvenile Court acquitting him of all charges.

Immediately after his release, the child found himself homeless. His father lived in a distant area, while his mother -fully aware that her husband would not allow him to return home- chose to abandon him. She took him to an area near a qat market, left him there alone to face his fate, bid him farewell by saying, "Seek God's help here," and then returned to her husband's home in another city.

Living in extremely harsh conditions of homelessness and driven by hunger, the child stole two young goats and took them to the livestock auction market to sell them.

"The traders kept looking at me suspiciously. They wondered how a child could be selling livestock alone so early in the morning. A man approached me and bought one of the young goats for 80,000 Yemeni riyals. He noticed my appearance and my tattered clothes, took a photograph of me, and then reported me to the police. I went to a nearby clothing shop, bought a new outfit for 40,000 Yemeni riyals, and put it on immediately. For the first time in a long while, I felt a little happiness and joy. But that feeling lasted only a few minutes. At around 9:00 a.m., while I was walking with the remaining money, a police patrol of about three officers in blue camouflage uniforms surrounded me. I did not resist. I was so exhausted that I simply surrendered and never even thought about running away. They recognized me from the photograph on the buyer's phone and arrested me while I was wearing my new clothes. They asked me about the other goat, and I told them that I had tied it up in one of the alleyways near the livestock market."

Although the child admitted to stealing the two goats, he was subjected to harsh treatment while in police custody in an attempt to force him to confess to stealing additional livestock. Because there was no separate detention facility for children, he was held alone in the women's detention section for two days. According to his testimony, following his transfer to the Juvenile Welfare Institution, the Public Prosecution continued to interrogate him for a further two weeks.

Several lawyers also reported cases in which prosecution offices classified or disposed of juvenile cases under the influence of the preliminary inquiry records prepared by law enforcement authorities. In particular, lawyers referred to incidents involving children who had been subjected to sexual exploitation but who, instead of being treated as victims, had their cases legally characterized by the prosecution as morality offences, with the children themselves being treated as offenders.

Moreover, there were instances in which prosecutors questioned children late at night¹⁰². Respondents also observed inadequate compliance with the requirement of confidentiality during juvenile investigations, as well as insufficient documentation of official investigative procedures.

5. Disregard for the Child's Right to Protection and Legal Assistance

Under the law, the investigation of a child accused of an offense must commence without delay in the presence of the child's guardian and legal counsel in order to ensure the child's legal protection. In practice, however, neither the Public Prosecution nor Juvenile Prosecution Offices consistently adhere to the requirement that children be interrogated and investigated in the presence of their lawyer and legal guardian, nor do they consistently guarantee defense counsel the full exercise of defense rights. As one lawyer stated:

"The involvement of the child's family in the criminal proceedings during the investigation stage, as a safeguard for the child's rights, does not occur automatically; rather, it depends on the follow-up efforts of the family and the child's lawyer¹⁰³." (Lawyer, Marib)

He added:

"The child's lawyer is often denied full access to the investigation records or permission to obtain copies for an official file, making it difficult for counsel to monitor the case accurately and effectively safeguard the child's rights¹⁰⁴."

102. An interview conducted by Mwatana for Human Rights with the lawyer representing the child S.A.M.Q., a 10-year-old girl, in Ibb Governorate, February 3, 2026.

103. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.M.Sh. in Marib Governorate, January 29, 2026.

104. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.M.Sh. in Marib Governorate, January 29, 2026.

Another lawyer described the challenges encountered when handling cases before Juvenile Prosecution Offices:

“In some instances, the child is investigated without notifying us to attend, and another lawyer is appointed to represent the child during the investigation as court-appointed counsel. In many cases, such counsel lacks the expertise possessed by juvenile defense lawyers who are familiar with all laws and regulations relating to children¹⁰⁵.”

Overall, the information collected for this study indicates that some children were questioned and investigated without the presence of legal counsel, providing reasonable grounds to conclude that there is a structural violation of children’s right to legal representation during the investigation stage before Juvenile Prosecution Offices. Some lawyers attributed this to:

“Prosecutors’ rigid interpretation of the principle of confidentiality in juvenile investigations, applying it narrowly and according to their own discretion¹⁰⁶.”

Others suggested that the absence of lawyers during investigative interviews with children whom they had been appointed to represent may, in some cases, stem from the extremely low fees paid for legal aid rather than from restrictions imposed by the prosecution authorities¹⁰⁷.

6. Disposition of Juvenile Cases Without Due Regard to the Best Interests of the Child

The consequences of a non-socially oriented investigative approach extend beyond the child’s treatment during questioning and interrogation. They also affect the legal characterization of the child’s case and the prosecutorial decisions taken, often without due regard for the best interests of the child, which require consideration of appropriate alternatives to judicial proceedings before referring a child to trial.

105. An interview conducted by Mwatana for Human Rights with the lawyer representing a child in conflict with the law in Al-Ta’izziyah District, Taiz Governorate, February 3, 2026.

106. An interview conducted by Mwatana for Human Rights with the lawyer representing the child M.A. in Aden Governorate, January 27, 2026.

107. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana’a on May 7, 2026.

In the case of M.A.N.B., a 13-year-old from the Sana'a Capital Secretariat, who was accused of theft and sodomy, the child's lawyer explained that after running away from home, the child had fallen victim to an organized criminal group that groomed him, sexually assaulted him, filmed the abuse to blackmail him, and coerced him into committing thefts on the group's behalf. Commenting on the Juvenile Prosecution Office's legal characterization of the case, the lawyer stated:

"The prosecution's handling of the case was flawed in its legal characterization. The investigation focused on the 'theft' and the 'indecent act' while completely overlooking the mental element of coercion arising from sexual blackmail. Under the law, the child in this situation should have been treated as a victim of exploitation, not as a 'participant in sodomy,' as reflected in the case file. The prosecution issued an indictment and referred the child to trial as the principal defendant for theft and sodomy. This approach departed from the spirit of the law, which requires the protection of child victims of sexual exploitation. The prosecution should instead have treated the rape as a separate criminal offense in which the child was the complainant, while treating the theft as an offense committed under coercion resulting from the blackmail¹⁰⁸."

As a result of this legal characterization, which failed to prioritize the child's best interests, the child was compelled to undergo an inappropriate criminal justice process, with serious consequences for his psychological stability and, according to his lawyer, likely exposing him to social stigma and long-term psychological trauma. In the case of M.A., a 12-year-old from Aden accused of intentional homicide and intentional bodily harm, the child's lawyer argued that the prosecution acted unlawfully by:

108. An interview conducted by Mwatana for Human Rights with the lawyer representing the child M.A.N.B., February 16, 2026.

“Attributing criminal responsibility to a child who had not yet reached the age of twelve, preparing an indictment, and referring the case to the Court of First Instance. Moreover, the indictment prepared by the Juvenile Prosecution Office was not supported by sufficient evidence¹⁰⁹.”

Lawyers and social workers interviewed for this study further indicated that deficiencies in the legal characterization and disposition of juvenile cases are closely linked to the Juvenile Prosecution Offices’ failure to conduct comprehensive social and psychological assessments before issuing indictments, their disregard for the recommendations of social workers based on the social inquiry conducted into the child’s circumstances, and their reliance on superficial social reports. Others attributed the prosecution’s failure to undertake comprehensive social assessments to the shortage of qualified social workers and the heavy juvenile caseload, both of which limit prosecutors’ ability to fully assess the child’s circumstances before making prosecutorial decisions¹¹⁰.

109. An interview conducted by Mwatana for Human Rights with the lawyer representing the child M.A. in Aden Governorate, January 27, 2026. According to the child’s lawyer, the case began after the child’s family agreed to the engagement of his sister to a man on the condition that the bride would be taken directly to her husband’s home upon the completion of the marriage ceremony without any wedding photography. The groom initially accepted this condition. However, on the wedding day, after some time had passed, the groom took his bride from her father’s house to a photography studio for wedding photographs, in breach of the agreement he had made with the bride’s father. The father pursued the newlyweds’ vehicle, accompanied by the child, intercepted their car, and opened fire. Two of the bride’s female companions were struck: one sustained a gunshot wound to the head and died, while the other was shot in the shoulder, resulting in a permanent disability. The police arrested both the bride’s father and the child and referred their case file to the Public Prosecution on charges of intentional homicide and intentional bodily harm. Although the child’s father confessed that he alone had committed the offense, the Public Prosecution nevertheless issued an indictment charging both the child and his father with the crime. The case was then referred to a court lacking jurisdiction. During the proceedings, the child’s father died. The child’s lawyer challenged the court’s jurisdiction, arguing that the accused was still a child. Consequently, the case file was transferred to the Juvenile Prosecution Office and subsequently referred to the Juvenile Court for adjudication. After examining the case and seeking the advisory opinion of two social experts, the Juvenile Court convicted the child but deemed the period he had already spent in the Central Prison to constitute a sufficient custodial measure. The court also ordered the payment of one full diyah (blood money) to the heirs of the first victim and one-half diyah to the second victim, who had sustained a permanent disability. The child’s detention lasted a total of ten full years throughout all stages of the criminal proceedings.

110. An interview conducted by Mwatana for Human Rights with a social worker in Taiz Governorate, January 26, 2026.

III. The Trial Stage

The Juvenile Welfare Act provides that, in all cases, Juvenile Courts shall apply the procedural rules governing non-serious offenses, unless the law expressly provides otherwise. The same rules apply to Courts of First Instance exercising the jurisdiction of Juvenile Courts in governorates where specialized Juvenile Courts have not been established. Legally, Juvenile Courts are required to guarantee child defendants all the safeguards of a fair trial, protect their legal rights, take their age into account when determining criminal responsibility, and give priority in their judgments to measures alternative to deprivation of liberty.

In practice, Juvenile Courts apply procedures that differ from those used in adult criminal proceedings, particularly with respect to the confidentiality of proceedings and the conduct of social assessments. However, the implementation of some of these safeguards faces complex institutional and practical obstacles, while others are undermined by procedural shortcomings that deprive the legal process of its substantive value.

1. Partial Compliance with the Principle of Expeditious Trial

Information obtained through interviews with child respondents who had been brought to trial, as well as with their lawyers, indicates that Juvenile Courts generally seek to uphold the principle of an expeditious trial, one of the fundamental guarantees of a fair juvenile justice process. For many respondents, trial proceedings lasted between one and four weeks, while some cases were resolved in a single hearing. Conversely, the trials of a number of children extended beyond one month, and a few lasted several months.

The relatively limited delays observed in practice are largely associated with the nature of the offenses for which children are prosecuted, particularly homicide cases and theft committed jointly with others. According to several officials at juvenile care institutions, incomplete case files, weak direct communication with certain judicial authorities -particularly the Public Prosecution- and insufficient resources for transporting children to scheduled court hearings all contribute to delays in trial proceedings or the prolongation of hearings¹¹¹.

111. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

One official at a juvenile care institution explained:

“We are often unable to provide fuel for the transport bus or cover its repair costs, which frequently results in the postponement of hearings and disrupts coordination between the care home, the court, and the prosecution¹¹².”

Several officials from juvenile care institutions also referred to security-related obstacles that hinder the prompt adjudication of juvenile cases, including the shortage of security personnel available to escort children from care institutions to court. One official stated:

“The institution has only one security guard to accompany the bus transporting children to court. Sometimes we transport seven children at once - how can a single guard possibly supervise them all?¹¹³”

In some governorates, additional local factors contribute to delays in adjudicating juvenile cases. In Marib, for example, officials pointed to the accumulation of cases before the Juvenile Court as a consequence of the dramatic increase in the number of displaced children during the conflict and their concentration in densely populated displacement sites¹¹⁴.

Other delays stem from the procedural requirements specific to juvenile justice. Preparing the social assessment reports upon which Juvenile Court judges rely in determining the most appropriate measure or sentence may require considerable time. Likewise, procedural deficiencies - such as the absence of identity documents establishing the child's age - can delay trial proceedings. Cases involving children charged jointly with adults also constitute an additional source of delay, as juvenile proceedings may remain pending before the Juvenile Court while awaiting developments in the parallel criminal proceedings against adult co-defendants before the ordinary courts¹¹⁵.

112. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

113. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

114. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Marib Governorate, January 28, 2026.

115. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana'a on May 7, 2026.

Regardless of the reasons for delay, slow judicial proceedings and postponed trial hearings constitute a violation of the child's statutory right to an expeditious trial, resulting in the child remaining in a juvenile care institution for a longer period pending trial. The consequences of such violations are particularly severe where children are detained pending trial in unsuitable places of detention or correctional institutions, some of which are not subject to effective judicial oversight.

For example, A.M.G.A., a 13-year-old from Ibb Governorate charged with homicide, remained on trial for one year and seven months, during which time he was detained in the Central Prison.

Similarly, S.F.A.A., a 13-year-old from Marib, spent six months in the Marib Juvenile Prison awaiting trial on charges of theft and assaulting several children. He was ultimately convicted and sentenced to three years' imprisonment in a correctional institution (juvenile prison). Recalling the delays during his trial, he stated:

"During the trial, hearings were sometimes postponed. We were told that either the judge or the prosecutor had not attended, or that the vehicles that were supposed to transport us to the court had not arrived."

2. Shortcomings in Ensuring the Right to Defense

Juvenile Courts generally comply with the requirement to allow the child's lawyer to attend trial hearings, as well as the child's parent, guardian, or legal custodian, in recognition of the child's psychological condition and to obtain important information about the child's personal circumstances that may assist the court in establishing the truth. However, as one lawyer explained, one of the principal obstacles to the effective implementation of this safeguard lies in:

"...the obstinacy of some court clerks, who refuse to provide copies of the case file or hearing minutes unless we pay them unofficial sums of money. This significantly obstructs our work."¹¹⁶

116. An interview conducted by Mwatana for Human Rights with a juvenile defense lawyer in Al-Ta'izziyah District, Taiz Governorate, February 3, 2026.

At the same time, the effectiveness of legal representation during the trial stage is undermined by the weakness of the legal aid system, causing the right to defense to become merely formal in some cases¹¹⁷. In theory, the Technical Committee at the Ministry of Justice and the Case Management Office of the Ministry of Insurance and Social Affairs and Labour provide legal assistance in juvenile cases through the case management system. Under this mechanism, children requiring legal aid are referred to legal aid providers, who in turn assign one of their lawyers to represent the child. In practice, however, the institutions responsible for providing legal aid to children now respond to referrals and requests only to a limited extent because of funding shortages.

Similarly, juvenile defense lawyers working under direct contracts with the Ministry of Justice complained that their salaries had been suspended, limiting their ability to continue representing the children assigned to them. A juvenile lawyer in Aden stated:

“We are contracted for only a few months each year, and during the remaining months we work on a voluntary basis¹¹⁸.”

Likewise, a juvenile lawyer in Taiz (Al-Ta'izziyah District) reported that the Ministry of Justice had failed to pay lawyers' salaries regularly in accordance with the contracts concluded with them¹¹⁹.

3. Limited Influence of Social Experts' Reports on Judicial Decisions

The participation of two social experts to assist the Juvenile Court judge constitutes a fundamental safeguard for ensuring justice and protecting the rights of child defendants during trial. The experts are responsible for examining the child's circumstances and preparing a comprehensive report addressing the child's family, educational, and psychological background, as well as the factors that brought the child into conflict with the law, such as economic conditions, educational attainment, and social pressures. The purpose of this assessment is to assist the court in evaluating the child's moral and legal responsibility.

117. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (female social expert) in Mukalla, Hadhramaut Governorate, February 4, 2026.

118. An interview conducted by Mwatana for Human Rights with a juvenile defense lawyer in Aden, January 28, 2026.

119. An interview conducted by Mwatana for Human Rights with a juvenile defense lawyer in Al-Ta'izziyah District, Taiz Governorate, February 3, 2026.

The experts also conduct field visits to meet the child at the juvenile care institution where the child is being held pending trial, interview the child's family, and consult the institution's social workers. Based on these inquiries, they prepare a comprehensive social assessment containing recommendations to the Juvenile Court judge regarding the most appropriate measure or sanction.

Procedurally, the social experts' report constitutes a mandatory requirement: the law prohibits the Juvenile Court judge from pronouncing judgment before hearing and discussing the report. Substantively, however, the report is advisory in nature, as the final determination of the appropriate measure rests exclusively with the judge.

In practice, Juvenile Courts generally comply with the requirement to order a social inquiry and consider its findings before sentencing a convicted child, particularly in serious cases, although in other cases the inquiry is "omitted or abbreviated because of the shortage of social workers or limited institutional capacity, thereby affecting the quality of justice delivered to children¹²⁰." Likewise, proceedings before specialized Juvenile Courts do not convene unless a social expert is present, this being a condition for the validity of the trial.

Most juvenile lawyers and social experts interviewed for this study confirmed that Juvenile Courts generally respect these two safeguards. Nevertheless, their views differed regarding the effectiveness of the social experts' role and the extent to which their reports influence the measures ultimately imposed by the court.

With respect to the effectiveness of the social experts' role, the accounts provided by most juvenile defense lawyers were largely positive. They particularly emphasized the experts' regular attendance at court hearings and their commitment to preparing comprehensive social assessment reports on child defendants. With the exception of a small number of lawyers who characterized the experts' role as routine and superficial¹²¹, the majority described them as playing a meaningful and constructive role in the juvenile cases in which they had acted as defense counsel.

120. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Aden Governorate, January 1, 2026.

121. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.M.Sh. in Marib Governorate, January 29, 2026; and An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.S.K., who was charged with theft in association with others, Sana'a, February 28, 2026.

For example, one lawyer described the role of the two social experts in the case of A.M.A.A. as:

“Excellent—particularly because the child’s father was absent. They essentially assumed the role of the family, meeting with him before and after the hearings and preparing him psychologically¹²².”

Another lawyer in Taiz (Al-Ta’izziyah District) similarly described the experts’ contribution as positive and effective:

“...They prepared a detailed report for the court on the child’s circumstances and those of his companions. They played an active role by attending hearings consistently, thereby helping to ensure the proper administration of justice and the prompt adjudication of the case by the competent judge. Their presence also gave the child and his companions a sense of reassurance¹²³.”

A third lawyer from Aden, commenting on the role of the social experts in the case of M.A., stated:

“...They met with both the child and his family, conducted a thorough assessment of his psychological, social, and health conditions, and made diligent efforts to identify the underlying causes and circumstances that had led him to commit the offense...¹²⁴”

Similarly, a lawyer in Marib confirmed that the attendance of the social experts during trial hearings:

“...served as a strong safeguard in ensuring that the proceedings were conducted properly¹²⁵.”

122. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.A.A. in Dhamar Governorate, January 24, 2026.

123. An interview conducted by Mwatana for Human Rights with the lawyer representing a child in conflict with the law in Al-Ta’izziyah District, Taiz Governorate, February 3, 2026.

124. An interview conducted by Mwatana for Human Rights with the lawyer representing the child M.A. in Aden Governorate, January 27, 2026.

125. An interview conducted by Mwatana for Human Rights with the lawyer representing the child S.A.M.Q. in Ibb Governorate, February 3, 2026.

Naturally, the role of social experts is not free from legal and institutional constraints arising within the judicial system itself, which affect the effectiveness of their work. In this regard, one social expert observed that:

“Social experts suffer from limited practical authority during the investigation and trial stages, and they are not involved at an early stage of the proceedings, which diminishes the effectiveness of their intervention¹²⁶.”

He added:

“Judicial, security, and social institutions do not always treat the social expert as an essential partner in achieving restorative justice, but rather as a secondary actor whose role merely complements the proceedings. This is compounded by the limited societal and institutional awareness of the importance of the social experts’ role in addressing juvenile cases.”

In some instances, these constraints reduce the role of the social expert during the trial stage to a purely formal one, confined to:

“Signing the hearing records or submitting a superficial report that is not based on a genuine assessment of the child’s circumstances, thereby stripping the role of its rehabilitative substance and reducing it to a mere procedural formality¹²⁷.”

With respect to the influence of social reports on judicial rulings, several social experts stated that this largely depends on the nature of the case and the Juvenile Court judge’s confidence in the recommendations contained in the report. One expert explained:

“In some cases, the judge relies on the social report as an important tool for understanding the child’s personality and social and psychological circumstances, and adopts its recommendations regarding the most appropriate rehabilitative measure or alternative to punishment. In other cases, however, the social expert’s report is viewed more as a procedural formality than as a substantive basis for judgment, particularly under heavy caseloads or where there is no full appreciation of the role of social work within the judicial system¹²⁸.”

126. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (social expert) in Marib Governorate, January 25, 2026.

127. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (female social expert) in Mukalla, Hadhramaut Governorate, February 4, 2026.

128. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (social expert) in Marib Governorate, January 25, 2026.

For their part, several Juvenile Court judges stated that:

“Most judicial decisions are consistent with the conclusions reached by the social experts, except in rare cases¹²⁹.”

One Juvenile Court judge further confirmed that the judgments of specialized Juvenile Courts generally do not depart from the recommendations contained in social experts’ reports except for legitimate reasons, which the judge explains when discussing the report¹³⁰.

It is evident that there is considerable variation in the extent to which social reports influence judicial decision-making. According to several social experts, this is partly attributable to the inability of some experts to prepare professional reports using language that demonstrates an adequate understanding of the law, or to the preparation of brief or poorly drafted reports by individuals who lack academic qualifications in social work, thereby diminishing their intended impact¹³¹. As one expert explained:

“When the social expert’s report is weak, it makes the judge’s task more difficult, and the judge is less likely to rely on it when reaching a decision¹³².”

A Juvenile Court judge further observed that the repetitive nature of social reports -particularly in theft cases, where the underlying motives and socioeconomic circumstances, such as poverty and family disintegration, are often similar- renders many reports formulaic and adds little to the judge’s existing understanding of the child’s circumstances beyond a limited amount of social information that should nevertheless be considered when determining the appropriate disposition¹³³. This may also reflect the absence of adequate financial resources enabling social experts to conduct field visits and gather comprehensive information about the child’s broader social environment¹³⁴.

129. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (social expert) in Taiz City, Taiz Governorate, February 4, 2026.

130. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana’a on May 7, 2026.

131. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Court in Aden Governorate, February 8, 2026.

132. An interview conducted by Mwatana for Human Rights with the assistant to a Juvenile Court judge (female social expert) in Mukalla, Hadhramaut Governorate, February 4, 2026.

133. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana’a on May 7, 2026.

134. An interview conducted by Mwatana for Human Rights with a social worker in Amanat Al-Asimah (Sana’a), February 14, 2026.

In practice, social experts receive extremely modest monthly allowances, which in most cases do not exceed 17,000 Yemeni rials (less than USD 40). They also receive no transportation or fieldwork allowances for conducting social investigations. As a result, some experts limit themselves to preparing desk-based reports, relying primarily on their previous professional experience and the information they obtain from interviewing the child in the courtroom¹³⁵.

Psychologists also emphasized that a social report alone is insufficient to assist the Juvenile Court judge in assessing a child's criminal responsibility. They noted that there are internal psychological factors, distinct from the child's social circumstances, which a social report cannot adequately identify, such as psychological disorders, mental health conditions, and the child's capacity to understand the criminal nature of the conduct. These issues require assessment by qualified mental health professionals. Overlooking such factors leaves the social report incapable of accurately portraying the child's psychological condition at the time of the offense or delinquent conduct and consequently limits the court's ability to determine the most appropriate rehabilitative measure¹³⁶.

4. Limited Use of Alternative Measures and the Low Effectiveness of Rehabilitative Judgments

Juvenile courts generally tend to apply alternatives to custodial sanctions in non-serious cases, such as reprimanding the child or placing the child in the custody of one of their parents or another person holding legal guardianship or custodianship, who is entrusted with the child's care and upbringing. In other cases, such as those involving begging, courts may occasionally issue suspended judgments, thereby giving the child an opportunity for rehabilitation without depriving them of their liberty, while warning them against reoffending¹³⁷.

However, juvenile court judgments are almost entirely devoid of other alternative measures, such as placement in vocational training programs, community service, or judicial probation. These measures have become virtually impossible to implement under the conditions created by the armed conflict due to inadequate

135. An interview conducted by Mwatana for Human Rights with a social expert in Amanat Al-Asimah (Sana'a), February 12, 2026.

136. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana'a on May 7, 2026.

137. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Taiz City, Taiz Governorate, February 10, 2026.

financial resources, the scarcity of rehabilitation, education, and vocational training programs, and the shortage of qualified social probation officers responsible for supervising children's conduct during the probation period¹³⁸. The same applies to the measure of committing a child to a psychiatric institution where their condition so requires. In practice, juvenile judges are often reluctant to order such a measure because they are aware that no psychiatric facilities exist that are suitable for children's needs. At best, they include in their judgments a recommendation that the child be referred to a psychiatrist¹³⁹. In some cases, juvenile judges are compelled to impose other, less rehabilitative alternatives despite not being fully convinced of their appropriateness, such as returning the convicted child to their family even where the family is clearly incapable of providing proper care or rehabilitation. As one juvenile judge explained:

"At times, ordering that a child be returned to their family is a difficult decision for the judge when the family is unfit to care for the child, is dysfunctional, or suffers from extreme poverty and deprivation. But there is simply no other option."¹⁴⁰

Given the dire conditions prevailing in juvenile care institutions, juvenile judges seek, whenever possible, to avoid ordering placement in such institutions. A juvenile judge in Ibb governorate stated:

"The juvenile care home has no food or even drinking water. Government funding has been cut off, and they now depend on restaurants to provide meals. When I order a child to be placed there for a lengthy period, it is as though I am subjecting them to further suffering."¹⁴¹

Another juvenile judge in Sana'a similarly remarked:

"The care institutions cannot even provide children with adequate food. How, then, can I, as a judge, order that a child be placed there?"¹⁴²

138. Consultative session convened by Mwatana for Human Rights in Sana'a on December 25, 2025.

139. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana'a on May 7, 2026.

140. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana'a on May 7, 2026.

141. An interview conducted by Mwatana with a Juvenile Court judge in Ibb Governorate, January 31, 2026.

142. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana'a on May 7, 2026.

The absence of dedicated care institutions for girls in conflict with the law presents an additional and significant challenge for juvenile judges. In some cases, courts are compelled to release girls simply because no appropriate institution exists in which they can be placed. This weakens accountability and substantially limits the range of measures available to the court¹⁴³.

The lack of institutional alternatives and the shortage of rehabilitation programs significantly narrow the options available to juvenile judges, making children's rehabilitation extremely difficult and undermining the overall effectiveness of rehabilitative justice¹⁴⁴. As one juvenile judge observed:

"Rather than ordering a child to be placed in a care institution where there is neither food nor water, I simply count the time already served. Then, two or three weeks later, the same child is back before me again".¹⁴⁵

In practice, placement orders issued by juvenile courts are generally of short duration, with the time the child has already spent in a care institution during the investigation and trial stages credited toward the placement period. Juvenile judges therefore tend to rely more extensively on other practicable alternatives, such as reprimanding the child or returning them to their family.

Statistical data collected by the study further demonstrate the limited use of placement in juvenile care institutions, consistent with the testimony of juvenile judges regarding their reluctance to employ this rehabilitative measure because of the catastrophic conditions prevailing in those institutions. In Marib Governorate, only 8 of the 25 children residing in the boys' juvenile care institution at the time of the study had been placed there pursuant to a court order¹⁴⁶. In Hadhramaut (Mukalla), 6 of the 10 resident children had received placement orders¹⁴⁷. In the juvenile care institution in Taiz (the area under the control of the Ansar Allah (Houthi) group), there were 8 children in residence, only one of whom had been placed pursuant to

143. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Taiz City, Taiz Governorate, February 10, 2026.

144. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Aden Governorate, January 1, 2026.

145. An interview conducted by Mwatana with a Juvenile Court judge in Ibb Governorate, January 31, 2026.

146. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

147. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

a judicial order, while the remainder were awaiting investigation or trial¹⁴⁸. Similarly, in the Juvenile Care and Rehabilitation Home in Aden, only 2 of the 8 boys residing there had been judicially ordered into placement¹⁴⁹. Although these figures fluctuate over time, they generally indicate that juvenile judges make only limited use of placement in juvenile care institutions as a rehabilitative measure.

On the other hand, the limited use of placement measures, when coupled with the scarcity of alternative measures that are practicable under conflict conditions, increases the likelihood that juvenile courts will resort to custodial sentences in correctional institutions (imprisonment) in cases involving children in conflict with the law.

Although no comprehensive data are available to conclusively confirm that this has become a consistent judicial practice, a number of statements provided by respondents in the course of this study make it impossible to rule out such a trend, at least to some extent.

In Hadhramaut, one juvenile judge stated:

“Imprisonment remains a common response due to the weakness of institutional alternatives and the limited availability of rehabilitation programs¹⁵⁰.”

In Marib, a juvenile prosecutor observed:

“Custodial sentences are often used as the primary response in juvenile cases because of limited resources, weak community-based follow-up mechanisms, and the absence of comprehensive rehabilitation programs¹⁵¹.”

148. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Al-Ta'izziyah District, Taiz Governorate, February 7, 2026.

149. An interview conducted by Mwatana for Human Rights with a female supervisor at the Juvenile Care Home in Aden, February 19, 2026.

150. An interview conducted by Mwatana for Human Rights with a judge at the Seiyun Primary Court in Hadhramaut Governorate, January 27, 2026.

151. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Marib Governorate, January 28, 2026.

In Aden, one respondent explained:

“Juvenile courts seek to give priority to alternative measures, and deprivation of liberty is intended to be used only as a measure of last resort. Although this principle is firmly established in the law, it has not been fully implemented in practice, thereby limiting the rehabilitative impact of juvenile court judgments¹⁵².”

In other governorates, statements by juvenile judges and prosecutors similarly point to practices that depart from the fundamental principles of rehabilitative justice. One respondent remarked:

“Personally, since the beginning of 2025, I have not seen any measure imposed on a child other than deprivation of liberty. As for the period before that, I cannot say¹⁵³.”

Likewise, a juvenile judge in Taiz (Al-Ta'izziyah) stated:

“Most judgments issued by juvenile judges consist of custodial sanctions. The statutory penalty prescribed for each offence is applied to children, and, to my knowledge, no alternative measure has ever been ordered¹⁵⁴.”

While some respondents argued that juvenile justice in Yemen continues to reflect a punitive criminal justice philosophy, one that favors punishment over rehabilitation¹⁵⁵, others maintained that imposing custodial sentences in correctional institutions may, in certain cases involving children convicted of serious offences, be necessary to protect public safety. This is particularly true in cases involving crimes such as murder or rape, where alternative measures are not considered appropriate because of the gravity of the offence and its nature, as well as the refusal of victims or their families to accept reconciliation or settlement. In such circumstances, the court may have no option but to impose custodial sanctions or other liberty-depriving measures in accordance with the law¹⁵⁶.

152. An interview conducted by Mwatana for Human Rights with a female judge of the Juvenile Court in Aden Governorate, January 2, 2026.

153. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Al Hudaydah Governorate, January 31, 2026.

154. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Mawiyah District, Taiz Governorate, February 15, 2026.

155. An interview conducted by Mwatana for Human Rights with the lawyer representing the child A.M.S.K., who was charged with theft in association with others, in Sana'a, February 28, 2026.

156. An interview conducted by Mwatana for Human Rights with a member of the Juvenile Prosecution Office in Taiz City, Taiz Governorate, February 10, 2026.

Nevertheless, judicial practice generally takes into account the period that the child has already spent in detention, crediting that time toward the custodial sentence ultimately imposed.

IV. The Stage of Implementing the Rehabilitative Measure

This stage is intended to reform the behavior of the convicted child, facilitate their rehabilitation, and reintegrate them into society in order to prevent reoffending. Juvenile Care and Guidance Homes operate as government institutions responsible for implementing placement orders issued by juvenile courts as rehabilitative measures. These institutions are also responsible for monitoring court schedules and submitting periodic reports to the judicial authorities on the condition and conduct of the child during their stay at the institution, with a view to reducing the placement period or recommending the application of other appropriate measures.

The placement process begins when the juvenile care institution receives the court judgment and the child from the court representative. The institution verifies that all required documentation is complete and reviews the child's personal information. The child is then searched to ensure that they are not carrying any items that could harm themselves or others, and any personal belongings are officially inventoried and placed in the institution's custody. A social worker subsequently opens a social case file (the initial social assessment form), in which preliminary information concerning the child's family background, educational and health status, and the circumstances that led to the placement order is recorded. The child is then classified within the institution according to their age and the nature of the offence. Placement procedures also include the preparation of an individualized rehabilitation plan tailored to the child's needs—including education, vocational training, and psychological support—while the child's family is contacted and informed of the placement procedures and visitation arrangements. In some cases, the family is invited to participate in developing the child's rehabilitation plan.

The placement procedures followed by juvenile care institutions are generally similar, although the quality and consistency of their implementation vary. Overall, implementation is influenced by the level of coordination between the institution and the judicial authorities, the practical difficulties encountered in involving the child's family -particularly when the family resides in another governorate- and whether qualified psychologists are available within the institution.

The principal violations of the rights of convicted children during this stage include the following:

1. Weak Judicial Oversight and Inadequate Periodic Review of Placement Measures in Light of the Child's Best Interests

Under the law, judicial authorities are required to conduct regular inspections of juvenile care institutions to ensure that placement procedures are lawfully implemented, that children are treated appropriately, and that adequate rehabilitation services are available. In practice, however, this supervisory role is weak and is either implemented only partially or carried out irregularly.

Judicial oversight also encompasses the periodic review of placement measures in light of the child's best interests, based on the social reports submitted by the institution to the court concerning the child's conduct during placement. These reports assess the child's responsiveness to the rehabilitation programs available within the institution, their compliance with daily activities, their relationships with peers, and their psychological readiness for reintegration into society. Copies of these reports are included in the child's case file and may recommend either strengthening the rehabilitative measure where it has proven ineffective or terminating it where the child has demonstrated positive behavioral change. Such recommendations may include conditional release, substitution of the existing measure with a less restrictive one, or the child's release into the custody of their family subject to appropriate guarantees.

In this regard, the managers of the juvenile care institutions interviewed for this study confirmed that the institutions regularly submit periodic reports to the courts on each child's condition, behavior, and response to rehabilitation measures. Nevertheless, these reports often have little practical impact. As one official at the Juvenile Care Institution in Mukalla explained:

"There is often a discrepancy between the recommendations contained in the institution's social reports and the court's decisions. The institution may recommend the child's early release because of significant behavioral improvement, but delays in judicial proceedings, the judge's absence from hearings, judicial strikes, or even judicial recesses frequently prevent that from happening¹⁵⁷."

157. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

She further stated:

“Children often serve the full duration of their placement orders, and a positive social report does not necessarily result in a reduction of the placement period. There are several reasons why a favorable report concerning a child placed in the institution does not always translate into conditional release. One is that some judges still regard placement as a punishment that must be fully served, rather than as a rehabilitative measure that should end once its objectives have been achieved.”

According to one social worker employed at a Juvenile Care Home, the institution’s social reports have only a limited influence on the judge’s review of the rehabilitative measure imposed on a convicted child:

“At times, these reports positively support the court’s inclination to release the child. Conversely, if the report indicates negative factors—such as the child’s lack of responsiveness to rehabilitation, adverse social or psychological circumstances, or poor disciplinary record—it may influence the court to adopt a stricter approach by extending the child’s placement in the institution¹⁵⁸.”

Another social worker similarly observed that:

“There are instances in which our professional assessment of what is appropriate for the child’s circumstances differs from the judicial decision ultimately issued¹⁵⁹.”

Most of the children who had been placed in juvenile care institutions and were interviewed for this study -whether during their placement or after their release- reported that they were released only upon completion of the full period of their placement orders. Nevertheless, there are cases in which children have been released early or returned to their families before the expiry of their placement period after social reports prepared by the care institutions documented significant improvements in their behavior during placement.

158. An interview conducted by Mwatana for Human Rights with a social worker at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

159. An interview conducted by Mwatana for Human Rights with a social worker at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

For example, one specialist working at the Juvenile Care Home in Marib estimated that approximately 15–20% of the children residing in the institution benefit from early release or are returned to their families as part of the institution's rehabilitative measures and social supervision¹⁶⁰.

Conversely, there are also cases in which children remain in the institution even after the expiration of their placement orders. In most instances, however, this occurs because their families refuse to receive them upon release. According to respondents, this represents one of the most significant challenges facing juvenile care institutions, largely as a consequence of the severe economic hardship experienced by many families.

2. Implementation of Rehabilitative Measures in an Environment That Fails to Meet the Child's Needs and Future Prospects

Children subject to placement orders serve their rehabilitative measures in juvenile care institutions that, in many cases, are unable to provide even the most basic necessities, including adequate food, safe drinking water, clothing, bedding, sanitation, and minimum essential healthcare. These deficiencies also extend to educational, vocational training, rehabilitation, and reintegration programs within the institutions, as reflected in the testimonies of children residing in several juvenile care homes.

“The food here is very basic—just enough to keep us from starving. It never makes me feel full. The meals are repetitive and very small, and there is no fruit or variety. I often feel hungry in the evening, but there is no one I can ask for more food.”

(Child A. M. S. N., male, 13 years old, Juvenile Care Home, Mukalla, Hadhramaut).

“Every day they serve us rice and stew without any meat. We wish they would at least give us a small piece of chicken.”

(Child M. S. M. Sh., male, 13 years old, Juvenile Care and Guidance Home, Ibb Governorate).

“When there isn't enough food, we have to fast so that we can make the meals last longer.”

(Child A. A. A. Q. M., male, 14 years old, Juvenile Care and Guidance Home, Taiz – Al-Hawban).

160. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

“I’m wearing short, torn clothes. I also need soap, toys, food, and clean drinking water because we’re drinking water from the bathroom taps.”

(Child A. A. A. A. B., male, 13 years old,
Juvenile Care and Guidance Home, Ibb Governorate).

“I need clothes and soap - that’s the most important thing. When my father comes to visit me, he spends ten thousand Yemeni riyals just on transportation, so he can’t afford to bring me the things I need. Sometimes he gives me five thousand riyals, and sometimes only three thousand.”

(Child M. S. M. Sh., male, 13 years old,
Juvenile Care and Guidance Home, Ibb Governorate).

“I want to have my hair cut because it’s full of lice. Whenever I move my head, lice fall out. I also need clothes because what I’m wearing has become too small, too tight, and torn. I need soap, and I want my family - they haven’t come to visit me.”

(Child Kh. M. H. A., male, 12 years old,
Juvenile Care and Guidance Home, Ibb Governorate).

“I don’t receive proper healthcare. The only time I had a headache, they just gave me a painkiller.”
(Child A. A., male, 14 years old, Juvenile Care Home, Taiz City).

“I need school supplies, toys, a washing machine, clothes, and a television. We barely get two sets of clothes during Eid. There are no proper beds or mattresses - we sleep on the floor. Even first aid isn’t available if someone gets sick, let alone anything else... I need clothes, healthy food, and a washing machine to clean my clothes.”

(Child S. S. A. A., male, 12 years old,
Juvenile Care and Guidance Home, Ibb Governorate).

“I want a football, sports clothes, food, and clean drinking water.”

(Child A. M. G. A., male, 13 years old,
Juvenile Care and Guidance Home, Ibb Governorate).

“I need clothes, soap to wash my clothes, and a pair of shoes.”

(Child A. A. Q. Sh., male, 11 years old,
Juvenile Care and Guidance Home, Ibb Governorate).

**“I need drawing materials and art training
courses. I also want to learn how to read and write.”**

(Child R Gh. A. Z., male, 15 years old, Boys’ Juvenile Care Home, Aden).

**“There are no activities in the institution except the morning
lineup, physical exercises, and sometimes playing football.”**

(Child M. S. M. Sh., male, 13 years old,
Juvenile Care and Guidance Home, Ibb Governorate).

**“I haven’t learned any trade or vocational skill during my
time here. There are no workshops for carpentry, mechanics,
or even mobile phone repair, which are the things I wanted to
learn so that I could support myself after leaving this place.
I spend most of my time sitting around with nothing useful to do.”**

(Child A. M. S. N., male, 13 years old, Juvenile Care Home, Mukalla, Hadhramaut).

**“My friends and I spend most of our time
inside our rooms. Sometimes I make bracelets
and rings out of beads as a form of handicraft.”**

(Child A. A. A. Q. M., male, 14 years old,
Juvenile Care and Guidance Home, Taiz – Al-Hawban).

3. Weak Protection During Placement

According to officials and specialists interviewed at Juvenile Care Homes, the institutions employ various mechanisms to protect resident children. These include age-based separation of children during sleeping arrangements as a preventive measure, staff shift systems, surveillance through security cameras, complaint mechanisms coupled with administrative investigations, staff training on child-sensitive practices¹⁶¹, and awareness sessions conducted by social workers and psychologists to educate children about their rights, appropriate behavior within the institution, and peaceful means of self-protection through reporting incidents rather than resorting to violence or fighting¹⁶².

161. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Al-Ta’izziyah District, Taiz Governorate, February 7, 2026.

162. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

In practice, however, there is little basis for confidence that these measures constitute an effective child protection system capable of ensuring a safe environment free from bullying, intimidation, harassment, or abuse by older children or even by some staff members. Formal and independent complaint mechanisms that guarantee confidentiality and ensure effective, continuous follow-up are either entirely absent or only partially functional¹⁶³. Some institutions lack surveillance cameras altogether, while in others frequent electricity outages undermine the effectiveness of existing camera systems. Moreover, there are no mechanisms for the routine daily review of surveillance recordings¹⁶⁴. Several institutions also suffer from a shortage of supervisors available around the clock, particularly during night shifts, due to insufficient numbers of social workers and supervisory staff¹⁶⁵.

4. Absence of Aftercare and Post-Release Reintegration Programs

Recidivism constitutes one of the principal challenges facing Yemen's juvenile justice system and reflects shortcomings in the follow-up and aftercare provided to children following their release. Such services are essential to support social reintegration and prevent relapse into delinquent behavior.

According to available information, approximately 10% of children released from the Juvenile Care Home in Marib reoffend by committing the same or similar offenses¹⁶⁶. At the Juvenile Care Home in Aden, the recidivism rate is estimated at 10–15%¹⁶⁷.

163. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

164. Focus group discussion convened by Mwatana for Human Rights at its headquarters in Sana'a on May 7, 2026.

165. An interview conducted by Mwatana for Human Rights with an official at the Social Welfare Home in Taiz City, Taiz Governorate, February 3, 2026.

166. An interview conducted by Mwatana with an official at the Juvenile Care Home in Marib Governorate, January 26, 2026.

167. An interview conducted by Mwatana for Human Rights with a specialist at the Juvenile Care and Rehabilitation Home in Aden, February 23, 2026.

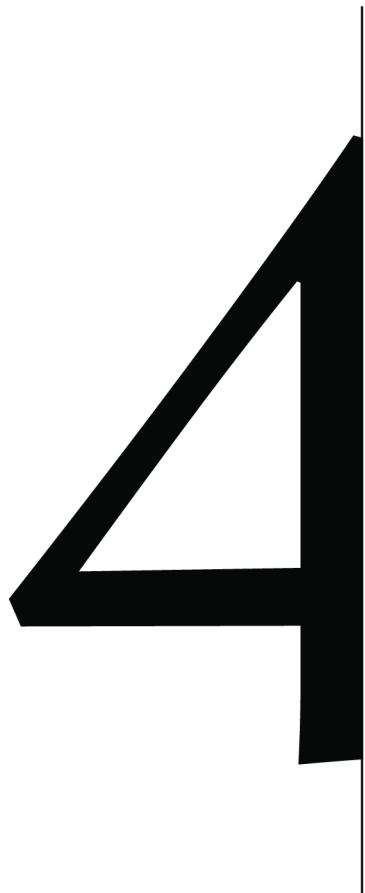
The consequences of the absence of aftercare programs extend beyond recidivism. They undermine rehabilitation efforts altogether in cases where the family plays no constructive role following the child's release. After completing rehabilitation, the child often returns to the same dysfunctional family environment that contributed to their delinquency in the first place. Several respondents emphasized that the absence of family support upon release effectively nullifies all rehabilitative efforts undertaken during placement¹⁶⁸.

A specialist at the Juvenile Care Home in Hadhramaut recounted what she described as a "tragic case":

"One child remained in the institution for more than three years until he had passed the age of eighteen, while still awaiting the completion of legal procedures. His suffering did not end even after a release order was issued following his brothers' withdrawal of the case against him. Instead, he faced the harsh reality that his family refused to receive him or reintegrate him into the household. At first, we found him work as a cook's assistant, but later we received higher-level instructions requiring his removal from the institution because, having become an adult, he was considered a risk to the younger residents. Consequently, he was discharged from the institution, which ultimately led to his complete abandonment and return to life on the streets without any family or institutional safety net¹⁶⁹."

168. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.

169. An interview conducted by Mwatana for Human Rights with an official at the Juvenile Care Home in Mukalla, Hadhramaut Governorate, February 2, 2026.



Findings

1. Yemeni legislation guarantees children in conflict with the law -whether accused or convicted- a range of legal and procedural rights and safeguards intended to ensure that they are treated as individuals in need of care and rehabilitation rather than punishment. Relevant laws require that juvenile offenders be dealt with through procedures distinct from those applicable to adults and be tried before specialized courts. They further emphasize the principles of child protection and the need to take into account the child's age and psychological and social circumstances throughout all stages of criminal proceedings. Yemeni legislation incorporates key standards of a fair and equitable juvenile trial before a specialized court, including the confidentiality of proceedings, simplified procedures, expeditious trials, and the right to legal defense during trial. It also requires that detention be directed toward educational and rehabilitative objectives and carried out in facilities specifically designated for children or in environments appropriate to their age. The legislation prohibits the imposition of harsh penalties, gives priority to educational and rehabilitative measures over custodial sanctions wherever possible, upholds the principle of the best interests of the child, requires the separation of children from adults, and calls for the prompt adjudication of cases to minimize the harmful effects of prolonged judicial proceedings. In addition, it recognizes the child's right to education, rehabilitation, and social reintegration.

2. There is broad consistency between the principles of juvenile justice under Yemeni law and internationally recognized juvenile justice standards. The principal areas of divergence relate to the definition of the age of a child under Yemeni law as compared with certain international conventions and instruments, and the notably low minimum age of criminal responsibility under Yemeni law, which is set at seven years. Yemeni legislation also omits certain procedural safeguards affecting the rights of child suspects, including the right to legal assistance immediately upon arrest and during detention, the requirement that a social worker be present as a condition for the validity of preliminary investigative procedures, the obligation for the Juvenile Prosecution to conduct a social inquiry as the basis for deciding how to dispose of a juvenile case, and clear provisions requiring the participation of the child's guardian throughout all stages of criminal proceedings, limiting such participation instead to attendance at court hearings.

3. Institutional deficiencies constitute one of the most significant practical challenges facing the juvenile justice system in Yemen. The country lacks the infrastructure necessary for a comprehensive juvenile justice system nationwide, including specialized juvenile courts, prosecution offices, police units, and care and rehabilitation institutions. The judicial system also suffers from a shortage of facilities and equipment dedicated to juvenile courts and the associated rehabilitative institutions. These shortcomings undermine the effective implementation of legal safeguards and constrain the delivery of an effective juvenile justice system. The principal consequences include the following:

- a. The absence or inadequacy of specialized juvenile justice institutions in most Yemeni governorates -including specialized juvenile prosecution offices, courts, and judicial divisions- results in juvenile cases being heard by ordinary courts that are not equipped to address the particular needs and circumstances of children. This undermines key elements of child-specific fair trial standards, particularly the comprehensive and impartial assessment of the child's personal and social circumstances before the imposition of a judgment or judicial measure, as non-specialized courts are not required to conduct social inquiry reports.
- b. Variations in the institutional structure of the juvenile justice sector across Yemeni governorates have resulted in unequal access to justice, reflected in inconsistent implementation of juvenile criminal procedures between governorates and, in some instances, even within the same governorate.
- c. The absence of specialized juvenile police units means that children are generally subjected to ordinary arrest and investigative procedures without full regard for their legal status and special needs, and without adequate respect for their right to be detained separately from adults. This adversely affects procedural fairness and may undermine the rehabilitative objectives of the juvenile justice system, particularly where children are held together with adults during periods of detention that may extend for weeks or even months. Furthermore, the limited number of adequately equipped juvenile care institutions results in children being detained in police stations and the premises of security agencies.

d. The deteriorated infrastructure of Juvenile Care Homes and their lack of adequate financial and material resources significantly undermine the effectiveness of the services they provide, limiting their capacity to offer a rehabilitative environment, psychological support, educational rehabilitation, and vocational training for children. The fragility of the rehabilitative environment, coupled with the institutions' inability to provide adequate food and basic services, has led Juvenile Courts to refrain, on a broad scale, from imposing institutional rehabilitative measures (placement of convicted children in Juvenile Care Homes) in non-serious cases. Instead, courts increasingly resort to alternative measures such as release on bail, conditional release, return of the child to the family—even where the family is sometimes incapable of providing appropriate care—placement orders with suspended execution, or custodial sentences in serious cases. This significantly diminishes the rehabilitative impact of Juvenile Court judgments in many instances. Moreover, Juvenile Court decisions almost entirely lack other alternative measures, such as placement in vocational training programs, community service, or judicial probation, because these measures are largely impracticable under conditions of armed conflict due to inadequate financial resources and the scarcity of rehabilitation, education, and vocational training programs.

e. The juvenile justice sector suffers from a severe shortage of specialized personnel, including judges, prosecutors, social workers, and psychologists, which adversely affects the quality of judicial procedures and decision-making. For example, the limited number of social workers and psychologists hinders the juvenile justice system's ability to comprehensively assess children's circumstances, monitor the implementation of rehabilitative measures, and supervise rehabilitation and social reintegration programs. Likewise, the shortage of forensic physicians, combined with the absence of modern age-assessment techniques, has resulted in some children being prosecuted before adult courts. In addition, the lack of regular, specialized training for judges, prosecutors, experts, social workers, police officers, and judicial police officers diminishes their understanding of restorative justice principles, limits their ability to recognize children's psychological and social needs and to select appropriate alternative measures, and ultimately weakens the effectiveness of rehabilitative justice.

f. Another challenge undermining the effective administration of juvenile justice is the collapse of the institutional child protection system and of the legal aid and support mechanisms provided through the case management system, Community Protection Committees, Family Protection Units, restorative justice institutions, and institutions responsible for implementing aftercare programs, as well as the declining role of civil society organizations and the reduced engagement of international organizations supporting children's rights. The capacity of these institutions to carry out their mandates and coordinate their activities effectively has also been eroded by the armed conflict and the existence of multiple competing authorities.

g. During the armed conflict, juvenile justice in Yemen has faced additional challenges arising from the lack of accountability for violations of children's rights, weak judicial oversight of Juvenile Care Homes and detention facilities due to the collapse of the judicial inspection system, inadequate documentation, insufficient resources for monitoring violations, widespread impunity, and low public awareness of the importance of reporting and following up on violations or procedural irregularities affecting children in conflict with the law.

4. The absence or inadequacy of specialized juvenile justice institutions in most Yemeni governorates -including specialized juvenile prosecution offices, courts, and judicial divisions- results in juvenile cases being heard by ordinary courts that are not equipped to address the specific circumstances and needs of children. This undermines certain child-specific fair trial standards, particularly the comprehensive and fair assessment of the child's social circumstances and condition before a judgment or judicial measure is imposed, as courts that are not specialized in juvenile cases are not required to conduct a social inquiry.

5. An examination of actual practices employed by law enforcement authorities in dealing with arrested children suspected of criminal offenses reveals recurring patterns of procedural irregularities and conduct that may amount to violations of children's rights. Field data collected for this study indicate that the overwhelming majority of accused or convicted children were arrested and questioned by police and security authorities that lacked the legal competence to interrogate children, record their statements, or refer their cases to the Public Prosecution. Accordingly, the principal violation of children's legal rights and procedural safeguards at this stage consists of depriving arrested children of their right to provide statements before a competent administrative or social authority. Instead, unauthorized authorities directly initiated criminal proceedings against children and referred their case files to the Public Prosecution without first referring them to Family Protection Units, coordinating with the case management system, or summoning a social worker to attend the child's interview and assist in preparing the preliminary investigation records.

The principal procedural irregularities and legal violations observed during this stage include: arrest procedures inappropriate to the child's age; unnecessary deprivation of liberty despite the availability of alternatives to detention; holding children in unsuitable places of detention alongside adults; exceeding the statutory time limits for detention; violating the child's right to legal protection and legal assistance following arrest; and subjecting children to cruel and degrading treatment.

6. Yemeni law establishes special rules and procedures for investigating children accused of criminal offenses, taking into account the nature of the offense, the child's personal, social, and family circumstances, and young age. It requires that investigations be conducted promptly and that juvenile cases be handled expeditiously, as they are deemed urgent matters. The law further requires investigators, during questioning and investigation, to consider the child's age, the

seriousness of the alleged offense, the child's physical and mental condition, the circumstances in which the child was raised and lived, and other factors relevant to assessing the child's personality. It also permits the child's release during the investigation stage (as well as at all other stages of the criminal process) where such release would not prejudice the administration of justice. Where the circumstances of the investigation require the child's detention, the law mandates placement in a juvenile care and rehabilitation institution for no longer than one week, unless the court orders an extension, while ensuring the child's availability whenever required.

In practice, however, the legal safeguards are only partially implemented, with some being disregarded altogether. Overall, the review of actual practice revealed recurring patterns of procedural violations and irregularities during the prosecution's investigation of children and its handling of their case files. The most significant include: inadequate implementation of restorative justice; only partial compliance with the requirement of prompt investigation; pretrial detention and investigative interviews conducted in penal institutions and police stations; investigative procedures that are inappropriate to the child's condition and fail to incorporate the required social and investigative perspective; disregard for the child's right to protection and legal assistance; and the handling of certain juvenile cases in a manner inconsistent with the principle of the best interests of the child.

7. Under the law, juvenile courts are required to guarantee every child accused of an offense all the elements of a fair trial, safeguard the child's legal rights, take the child's age into account when assessing criminal responsibility, and give priority, in sentencing, to alternatives to deprivation of liberty. In practice, juvenile courts generally apply procedures distinct from those used for adults, particularly with respect to confidentiality and the conduct of social assessments, and they guarantee the child's right to legal representation. Nevertheless, compliance with the requirement of expeditious adjudication remains limited, undermining the principle of a speedy trial. Additional shortcomings include obstacles to the effective exercise of the right to defense, the limited influence of social assessment reports on judicial decisions, and the restricted use of alternative measures, with a continuing emphasis on custodial sanctions in serious cases.

8. The implementation stage of judicial measures imposed on children found responsible for criminal offenses is characterized by numerous deficiencies and shortcomings, most notably: weak judicial oversight and inadequate periodic review of placement measures in light of the child's best interests; implementation of rehabilitative measures in environments that fail to meet the child's developmental needs and future prospects; insufficient protection for children while placed in juvenile care institutions; and the absence of post-release follow-up and aftercare programs, exposing children to a heightened risk of reoffending upon completion of the rehabilitative measure imposed by the court.

5

Recommendations

First: Recommendations for Strengthening the Legal and Judicial Protection of Children and Improving the Juvenile Justice System Under the Current Circumstances

1. Enforce existing legislation by requiring all authorities dealing with juvenile cases to fully implement the legal safeguards and respect all rights guaranteed to children under Yemeni law.

2. Restore juvenile care and rehabilitation facilities that have been seized by military or non-military actors, and allocate urgent operational funding to juvenile care institutions to enable their rehabilitation and refurbishment in accordance with statutory standards. Conditions of detention and care should be improved to ensure the provision of essential services, including adequate food, education, vocational training, and psychological and social support in a humane environment that meets educational, health, and rehabilitative needs.

3. Reactivate social work offices within police departments in provincial capitals, develop a mandatory procedural manual for police officers that clearly regulates the questioning of children, and prepare child-friendly investigation guidelines for prosecution offices that are not specialized in juvenile cases but nonetheless handle such cases.

4. Strengthen the role of the Ministry of Social Affairs and its local offices, as well as Community Protection Committees, in safeguarding children's rights. Officially appoint social workers assigned to juvenile cases pursuant to Article 6 of the Juvenile Welfare Law, and allocate appropriate salaries and allowances for social workers within the juvenile justice system.

5. Re-establish and sustainably operationalize the Case Management System, linking social experts, judges, and prosecutors with case management offices to facilitate access to information necessary for assessing children's circumstances and to improve coordination among governmental institutions and social service providers.

6. Strengthen the role of social and psychological experts by involving them from the earliest stages of juvenile proceedings to ensure meaningful social assessments, providing them with the financial and logistical resources necessary to sustain their work, and incorporating the recommendations contained in their reports into comprehensive policies and programs for reforming the juvenile justice system.

7. Implement continuous and specialized capacity-building programs for judicial, law enforcement, and social service personnel working in juvenile justice. Training should focus on the specific nature of juvenile cases, fair trial standards, restorative justice principles, children's legal rights, international juvenile justice standards, child psychology, and restorative justice practices to ensure comprehensive protection of the rights of children in conflict with the law.

8. Ensure that the outcomes of training programs provided by governmental institutions for social workers are effectively linked to service providers, particularly juvenile guidance and care institutions, so that the knowledge and skills acquired through such training are translated into practice.

9. Increase the number of qualified forensic physicians to expedite the resolution of juvenile cases delayed by forensic reporting, and equip juvenile prosecution offices with modern age-assessment technologies.

10. Strengthen the legal aid system to ensure the provision of free legal assistance at all stages of juvenile proceedings, in cooperation with civil society organizations specializing in children's rights.

11. Establish effective monitoring and evaluation mechanisms to ensure full compliance with juvenile-specific legal procedures throughout all stages of criminal proceedings. Judicial oversight should be strengthened over detention facilities to ensure that children are not detained with adults and are promptly transferred to juvenile care institutions or released into the custody of their guardians where appropriate. Oversight should also extend to juvenile care institutions to ensure proper age and offense-based classification of children, as well as continuous judicial supervision following sentencing to ensure that rehabilitative measures remain genuinely rehabilitative and do not become de facto custodial punishment devoid of rehabilitative purpose.

12. Promote and expand the use of restorative justice, with a focus on reparation for harm and community reconciliation, with a view to avoiding detention, corporal punishment, and custodial sanctions for children.

13. Strengthen cooperation among judicial, social, and educational institutions to ensure comprehensive support for children during and after judicial proceedings. Measures provided under Article 36 of the Juvenile Welfare Law that remain largely inactive –such as judicial probation, supervision orders imposing specific obligations, and placement in vocational training programs– should be fully implemented. Consideration should also be given to developing innovative rehabilitative alternatives suited to the current context. Social supervision and aftercare services should be strengthened, alongside educational and community reintegration programs aimed at reducing recidivism.

14. Establish a national observatory dedicated to monitoring violations committed against children accused or convicted of criminal offenses throughout judicial proceedings and during the implementation of judicial measures or sentences.

15. Promote public awareness of children's rights and juvenile justice principles to foster broader societal acceptance of restorative justice and reduce the social stigma experienced by children subjected to judicial measures or sanctions, thereby facilitating their successful reintegration into society upon release.

16. Conduct social research and empirical studies on juvenile delinquency to better understand its underlying causes and to develop evidence-based policies and interventions aimed at preventing and reducing juvenile offending.

Second: Long-Term Strategic Recommendations

1. Undertake comprehensive legislative and institutional reform, including a review and modernization of laws relating to children in conflict with the law. This should include raising the minimum age of criminal responsibility; reducing reliance on custodial sanctions; strengthening the child's unconditional right to legal assistance throughout all stages of criminal proceedings; reinforcing fair trial guarantees, alternative care, and rehabilitation; expanding the use of alternatives to detention; and introducing clearer and more binding procedural safeguards, such as requiring the presence of both a psychologist and defense counsel as a condition for the validity of investigative interviews to prevent the extraction of coerced confessions. The reform should also require competent authorities to implement genuine post-release reintegration programs following the completion of a sentence or rehabilitative measure, and establish a comprehensive legislative framework for restorative justice.

2. Undertake a comprehensive rehabilitation of the infrastructure supporting the juvenile justice system and institutions responsible for juvenile affairs, and establish an integrated juvenile justice system in all governorates, comprising specialized juvenile police units, juvenile prosecution offices, and juvenile courts. This would ensure that juvenile cases are handled exclusively by competent specialized authorities and that the juvenile justice system is integrated with a comprehensive social protection framework, including education, healthcare, psychological support, and post-release community reintegration programs.

3. Establish integrated juvenile care and rehabilitation complexes comprising separate residential facilities for boys and girls, schools, vocational education and training centers, psychological rehabilitation services, and aftercare and follow-up centers. These institutions should be adequately staffed with qualified and trained personnel and provided with the financial, material, and technical resources necessary to fulfill their rehabilitative mandate effectively.

4. Strengthen judicial protection within the juvenile justice system by ensuring accountability for violations of children's rights and holding legally responsible all individuals who expose children to delinquency or contribute to their involvement in criminal behavior.

5. Provide economically vulnerable families with targeted economic empowerment programs based on objective criteria tailored to the needs of each household. Introduce graduated legal measures for families that refuse to receive children upon their release from care or correctional institutions, and establish clear mechanisms to ensure the social reintegration of children abandoned by their families.

6. Establish a national juvenile justice information and statistical system to support evidence-based planning, monitoring, and the development of future policies and strategies relating to juvenile justice.

Acknowledgment

Mwatana for Human Rights extends its highest expressions of gratitude and appreciation to everyone who contributed to the success and completion of this research paper, titled “Juvenile Justice in Yemen: The Reality of Criminal Justice and Requirements for Institutional Reform 2014–2026.”

We specifically recognize the children and their families, judges, juvenile prosecutors, lawyers, social workers, detention and care center officials, as well as representatives of official bodies and civil society organizations.

We highly appreciate everyone who enriched this work with vital information, expertise, and sound insights, defying complex circumstances and formidable challenges.

Mwatana expresses its special thanks to the children and their families who courageously shared their experiences; without their trust, this study would not have been realized, nor would we have been able to shed light on the reality of juvenile justice in Yemen and identify its various associated challenges.

To all of them across various Yemeni governorates, Mwatana dedicates this effort, hoping that the voices and suffering of these children will resonate with the relevant authorities, policymakers, and justice sector actors. We envision this work serving as a cornerstone for building a more equitable, specialized, and humane juvenile criminal justice system.

Juvenile Justice in Yemen

The Reality of Criminal Justice and Institutional Reform Requirements
2014-2026

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