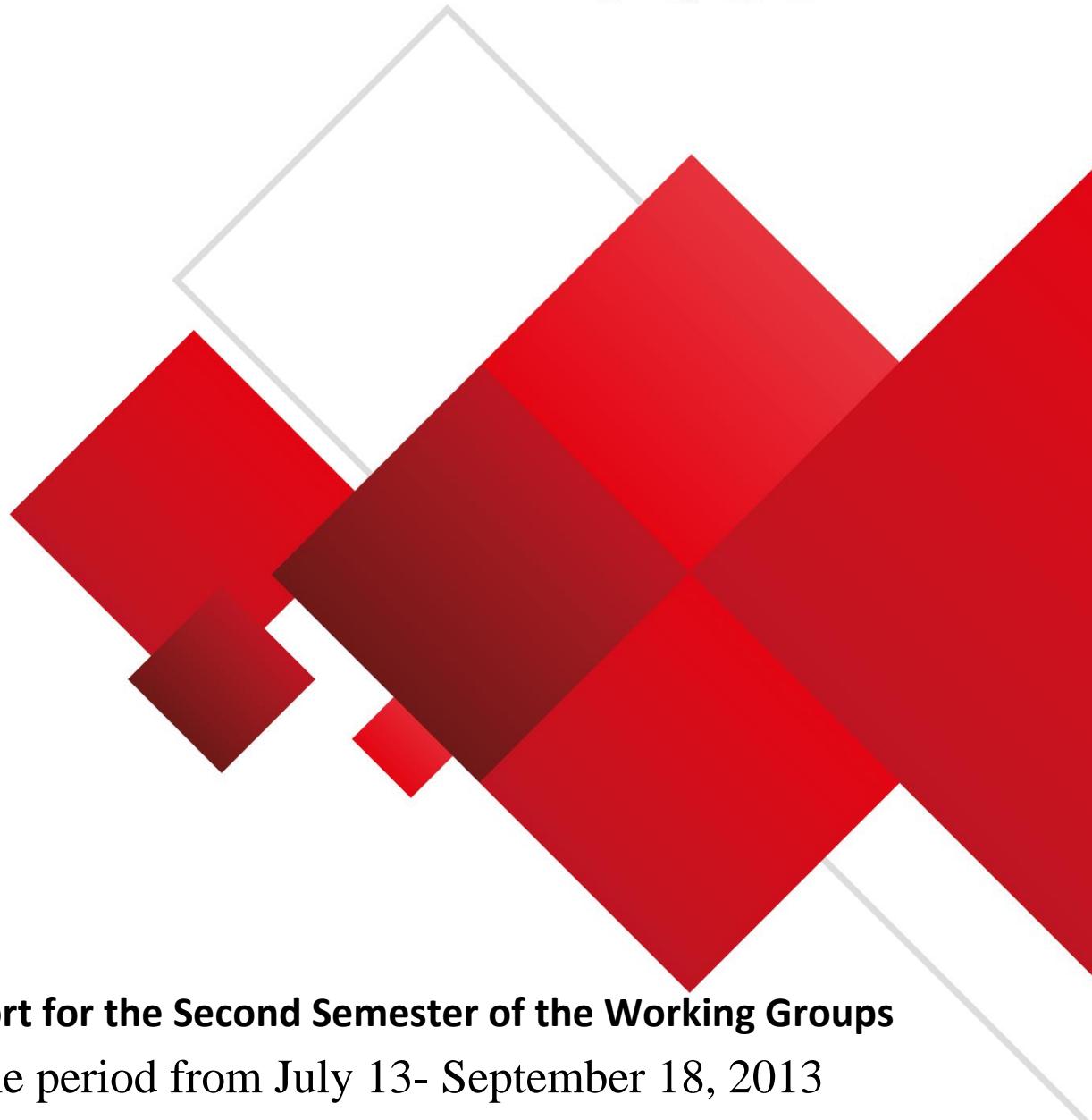




مؤتمر الحوار الوطني الشامل
— بالحوار نصنع المستقبل —



Final Report for the Second Semester of the Working Groups
For the period from July 13- September 18, 2013

Submitted to the Final Plenary of the All-Inclusive National Dialogue Conference

**(Working Group on Building the Foundations for
the Security and Military Institutions)**

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To The Conference's Plenary

Subject: Final Report of the second session of the Working Group on Building the Foundations of the Security and Military Institutions.

Greetings...

The Working Group on Building the Foundations of the Security and Military Institutions wishes you all the best and sends you its high regards. The WG is happy to attach, herewith, the final report for the second term of the working groups which were conducted from July 13 - September 18, 2013.

Therefore;

Kindly peruse the report and issue a decision by the conference for the adoption of the decisions contained herein.

Best wishes

Fahd Dahshoush, Rapporteur

Yehia Mohamed Al-Shami, Chair

Introduction:

The Almighty God says: "Lo! This is the supreme triumph. For the like of this, then, let the workers work". *Praise by to God, the Magnificent.*

There is no doubt that Yemeni wisdom was manifested in the Comprehensive National Dialogue Conference. The Conference aimed at establishing strong foundations and solid basis for building a free, decent, secure, stable life and a prosperous future; where understanding, cooperation, partnership and sincerity in words and deeds and values of justice, freedom and equality prevail. It also aimed at addressing all pending issues in a fair manner, on top of which is the Southern Question. When the conference convened in the first plenary and its members broke out into different working groups, the working group on the Building of the Foundation for the Military and Security Forces and their Roles became one of nine working groups of the Conference.

On that basis, the WG started its work in earnest with a full understanding of the huge responsibility entrusted to it and the nobility of the objective of the Conference which is reflected in the motto "With Dialogue, We Make the Future".

The WG had set the following detailed objectives for the two semesters of the Conference:-

Objectives of the Working Group

Overall Objectives of the Working Group:-

1. Foundations for the building of the Army, nationally and professionally.
2. Assessment of compatibility of the outputs of efforts to restructure the military and security forces with the new foundations.
3. Role of the military in political life.
4. Security institutions as a civilian body.

Detailed objectives of the Working Group:

1. Assessment of the current situation of the Military, Security, and Intelligence Services and the status of restructuring process in place.
2. Setting of modern foundations for future building of the Military, Security, and Intelligence Services and identifications of their objectives and tasks.

3. Setting the foundations to ensure redeployment of Military Bases far out of the cities when the new operational theatre has been identified.
4. Setting foundations to eliminate the regional nature of all Military, Security, and Intelligence Services to transform them into national and professional institutions.
5. Reinstatement of all those who were forcibly dismissed and forced to retire from the military and security personnel from the South, as a result of the summer of 1994 War. Reinstatement of all military and security personnel who were dismissed and forced to retire as a result of the Sa'adah Wars and the reinstatement of military and security personnel dismissed and forced to retire from the rest of the governorates of the Republic of Yemen to their jobs. They shall also be granted just compensations for the past periods.
6. Setting the foundations for the neutralization of the Military, Security and Intelligence Services from political life.
7. Setting the foundation for a modern national military doctrine for the Army and Security Forces.
8. Setting the foundations that would ensure decent lives for the personnel of the Military and Security Forces.
9. Follow up on the implementation of the twenty point's relevant to the mandate of the Working Group.
10. Setting the foundations to guarantee full attention and welfare of the families of martyrs, the disabled and wounded veterans from both the military and security institutions.
11. Reconsideration of the military laws, including the retirement law, the Military Service Act, and the National Defence Service Act.
12. Develop proposals for military and security health, educational and vocational training facilities.
13. Reconsideration of services and economic institutions subordinates to the military and security forces.
14. Broaden and empower women to work in the Military, Security, and Intelligence Services.

The Working Group started its work on the 13/4/2013 and produced the outcomes of the first sessions; those which were included in the WG's report to the Mid-term plenary on 13/7/2013. With full confidence, full harmony and open hearts and minds, views were discussed and visions and studies were presented to the meetings of the Working Group. The WG also benefitted from effective presenters and field visits to most branches and departments and the headquarters of the Ministries of Defence and Interior, political security, National Security and visits to branches of these agencies in a number of governorates (Aden-Hadhermout- Hodeidah). Some of the committees from the Group also paid visits and met with officials and civil society organizations and professors and students in the universities. We have been able to decipher most of their proposals, views, concerns and issues during the first semester. Due to the lack of time, during the second semester, the members of the WG weren't able to visit the remaining governorate it planned to visit. The visits were, instead, confined to some of the facilities of the Ministry of defence, the Political Security, National Security and the Military intelligence to compliment previous visits. The WG worked hard and accomplished many of its objectives. It overcome many of the constraints and obstacles and overcome all challenges. It developed policies and strategies as planned in a successful manner. These can be found in the outcomes, results, decisions, suggestions and recommendations which received consensus in the WG. Consideration were also given so that these outcome are in line and don't conflict with the outcomes and decisions of the Working Group on the Southern Question, the State Building Working Group, outcomes that will be approved by the Conference and are hereby submitted to the Conference for that purpose.

Decisions of the Working Group which received consensus in the WG and are submitted for review and approval are in the following:-

First: Decisions on Constitutional Principles:

1. The armed forces belong to the people; its mission is to protect the country, maintain security, unity and territorial integrity, sovereignty and the Republican System. The State has the exclusive right to establish such forces. An individual,

body, party, agency, group, organization or a tribe are prohibited from establishing such formations, bands, military or Para-military organizations under any name.

2. Representation in the armed and security forces and intelligence agencies during the constituting period shall be 50% for the North and 50% for the South at the command level in the military, security and intelligence agencies and below that; 50% for population and 50 for geography.
3. The law regulates general mobilization, reserves, the armed forces and the mobilization of human, financial and moral resources for the country. They are to be prepared on sound ground to be transformed from times of peace to times of war when an external threat is anticipated. The law shall regulate the rights and obligations of the reserves, and level of other material military resources.
4. Security is a formal civilian body that performs its duties at the service of the people, ensures tranquility for the citizens, protects their rights and freedoms, maintains law and order, the implementation of matters imposed on them by law and regulations and enforcement of judicial orders in a manner specified by law.
5. A high council for national defense and national security shall be established with a mandate to in the special affairs for security the country and its safety, prepares strategies and policies to deal with external threats and internal challenges and formulates internal and external policies for the country. It shall be responsible for the determination of strategies, plans for achieving security and public tranquility and dealing with disasters and crises of all types. It shall adopt whatever is necessary to contain them and identification of sources of threats on the national security. The constitutions and the law shall specify the structures, mandates and other tasks and responsibilities. It shall define the staffing with due consideration to civilian representation in the council.
6. A general intelligence organization shall be established by law consisting of two sectors, one external and another internal. It shall be responsible for surveillance of threats to Yemeni national security. It shall investigate all information and prepares complete folios on those threats. It shall refer such folios to competent agencies. It shall be responsible for advising the government on all matters relevant to Yemeni national security. It shall be under the oversight of the High Defense and National

Security Council. The general intelligence organizations shall exercises its mandate in accordance with the law and internationally recognized principles of human rights. The law shall define the mandates and the tasks and responsibilities of the organizations. It shall be subject to the control of the legislative authority and the Central Audits and Control Organization in a manner that ensures effective role for financial control. Due considerations shall be given to the secret nature of its work. The General Intelligence Organization doesn't enjoy law enforcement powers. The head of the Organization shall be a well-known public figure, known for integrity and neutrality, the appointment of who shall be confirmed by the legislative authority.

7. The President of the Republic in a presidential system or the mixed system and the Prime Minister in the Parliamentary System is the Commander in Chief of the armed forces. The Commander in Chief declares war and general mobilization after the ratification of the legislative authority.
8. The Ministry of Defense is responsible before the people for the armed forces and before the authorities of the State. The law shall define the size, structures, job description, tasks, human resources and financial resources for all of its components. It shall define the operation theater, the financial and administrative system, transparency of financial control by the legislative authority and the control agencies.
9. The office of the Minister of Defense is a political position. The person who will assumes such office shall be appointed by the President of the Republic in the presidential or mixed systems of government or the Prime Minister in the parliamentary system and in accordance with the requirement of the public interest for the nation. The Chief of Army Staff is the military commander of the army.
10. Terrorism is a global plaque which must be combated in line with a clear national strategy that defines terrorism and in cooperation with the international community, but in a manner that doesn't undermine national sovereignty. Cooperation should be confined to training and qualification of the special counter-terrorism Yemeni security and military units, development of their capacities and combat armament without direct interference.

11. The military judiciary is an independent judicial body in its work and is attached to the Supreme Judicial Council. It specializes exclusively in adjudicating all crimes related to the armed forces, officers and members. The law shall identify those crimes and defines the other functions of the military judiciary. It is not permissible to prosecute any civilians before military courts. Members of the military judiciary are independent, cannot be removed unless in cases defined by the law. They shall have full guarantees, rights and duties granted to the members of the civilian judicial authorities. Judicial panels shall have jurisdiction over the officer and staff of the armed and security forces and non other by adjudicating in all administrative disputes relevant to decisions on their affairs. The law shall regulate its functions and how its decisions can be appealed.
12. The military, security and intelligence should be neutralized from politics including a ban on the participation in elections and referendum whether in voting or nomination or participation in election campaigning in favor of any candidate as protection of these bodies from any political infiltration (This a provision which has been adopted with reservation of four members of the GPC).
13. Criminalization of any partisan activities by members of the military, security forces and the intelligence services. Any activity by any political party in the military, security and intelligence services shall be criminalized. The utilization of the armed, security and intelligence services in favour of any political party, group or individual shall be prohibited to shield them from any form partisan affiliation of all forms and political loyalties of all types to ensure neutrality and independence. The law shall specify the maximum punishment for such act including dismissal from service and the striping of all military ranks.
14. The President, Prime Minister, Speaker of the legislature, Minister of Defence, the Minister of Interior, or the heads of Intelligence bodies are not allowed to appoint any of their relatives, up to the fourth level, in any leadership positions in the Military, Security, and Intelligence Services during the period of their tenure in office.
15. Develop a Military doctrine for armed forces derived from constitutional principles so as to make the military, a national and professional army, loyal to God first and to

the Nation. The Military, Security, and Intelligence Services shall respect human rights and international conventions and agreements that do not contravene the sovereignty of the country.

16. The staffs of the military, security and intelligence services derive legitimacy and full protection in the performance of their duty from their adherence to the constitution and the law.
17. Empowerment and broadening of women participation in the work of the military, security and intelligence services, to be regulated by law.
18. Trafficking of weapons and explosive of all types and sizes by any party, organization, group, tribe or an individual shall be criminalized
19. The Government shall be responsible for providing protection and comprehensive monitoring of children below eighteen years of age. Recruitment of children or involving them in armed conflicts shall be criminalized. They shall enjoy full protection during military conflicts, natural disasters and emergencies.

Second: Legal Decisions and Guidelines:

1. Determination of the suitable size of the armed forces shall be done in line with internationally accepted ratios (1-1.5%) of the population as a functional force and from (2.5-3%) as a reserve force. This shall be distributed in a balanced manner for the main forces, groups and jobs so as to make the armed forces a professional force. It's preferable that focus should be on quality and not on quantity, to be regulated by law.
2. Review of the current legislations of the armed, security forces and intelligence services. Legislations shall be enacted to be in line with the new Constitution and the requirements of the new structures.
3. Enactment of laws for the creation of the National Defence and National Security Council that clarify its tasks and functions. A law shall be enacted to regulate the armed forces, and another, for general mobilization and conditions that warrants that, a law for military service, a law for the national defence service, and a law for retirement and pension. It's not permissible to refer anyone to retirement unless in accordance with the law.

4. Passage of a law for health insurance and social security for the staff of the military, security, intelligence services and their families.
5. Passage of laws to unify the command and control and guidance centre in the security and police institution, the prohibition of discrimination in obligations and rights, completion of the building of an automated system and hot communications lines and the provision of required equipment.
6. All procurements of weapons, vehicles and other means for the armed and security forces shall be allocated to a special procurement committee. Procurement through traders and intermediaries shall be banned. All transaction shall be direct with the manufacturers and expenditures for armaments shall be rationalized and regulated by law.
7. Entitlements of the armed and security forces shall not be subject to the Salaries and Wages Strategy of the civil service. It shall be separated by law and enforcement of double dippers legislations of the civil service.
8. The ministries of Defence and Interior shall formulate a general budget to be presented together with the State's Public Budget to the Council of Ministers and on to the Parliament to realize oversight and control of these institutions on the budget. The best financial systems used by modern armies should be used to cover revenues and expenditures. Funds shall be removed from the discretion of commanders of units. All military and security leaderships shall be subject to financial disclosure to protect public fund and to curb corruption.
9. The Economic Corporation, the Military Public Works department, the Retirement Fund and the Military Medical Services shall submit an independent budget attached to the budget of the Ministry of Defence being that they are service and productive institutions. The law shall regulate their revenues and expenditures.
10. Restructuring the Yemeni Economic Corporation on the basis of shares between the Yemeni Economic Corporation and the Public Sector Corporation which were merged in the Yemeni Economic Corporation from the north and the south. The Corporation shall apply laws in force in all similar corporations in terms of managements and financial systems, final accounts, annual inventory, financial control ... etc. Its

accounts, books and reports shall be under the oversight of the Central Audit and Control Organization.

11. The staff of the military and security forces shall be granted allowances, increases, bonuses and incentives (periodic increases, increase for specialization, increases for the desert and island, increases for qualification, allowance for graduation, risk, bonuses and other privileges... etc). No deductions from the salaries of soldiers under any justification of reasons unless by law and subject to the principle of reward and punishment at all levels.
12. Since the staff of the armed forces, security and intelligence services are already paying blood tax and given that double taxation is forbidden, it's imperative, legally, to exempt them from paying income tax.
13. Legislations in the armed and security forces and intelligence service shall regulate military service, in structures, salaries, volunteerism, seniority, training, qualification, promotion, rules and cases of performance of the services, actions and leaves, medical services and healthcare, rights and duties, salaries, increases, allowances, bonuses, end of service bonus and protection of the workers in the military during the performance of their duties. All organs in the ministries of Defence and Interior shall be subject to the control of competent organizations without exception in accordance with the law. There is a need that outcomes of the restructuring process shall be in line with the foundations for building of the military and security forces along national lines, professionalism and scientific standards, as wells as, comprehensive and fair national representation. This should be regulated by fair legal provisions.
14. The work of the security services shall be based on a balance between power and responsibility, determination of the public function, roles, ensure that there are no overlaps and smooth command, control and the application of management and financial decentralization.
15. The staff affiliated to the intelligence agency, when performing their duties, shall commit to standards of good governance and principles. The intelligence agency is prohibited from interference in the work of government organs, the military and the

security service. Measures should be taken to ensure that the intelligence agency is shielded from infiltration and polarizations by any political party or body.

16. Reform of justice and security institution as one integrated system (Police Force- Prosecution- Judiciary). The law shall define the relationship between them to achieve comprehensive justice and ensure protection of rights and freedoms, lives and properties in accordance with the following rules and established principles:-

- a. The security organizations shall respect the sanctity of homes, exception only in cases of stress and emergencies. Homes are not be entered, inspect or monitored unless by a justified judicial order and in cases provided by the law. The Judicial order should specify the place, timing and purpose of the inspection and residence shall be alerted before entry for inspection. (Some members suggested that the following statement should be added "Report, domestic violence" immediately after "stress". The WG didn't agree over the statement and was referred to the Consensus Commission.
- b. Citizen's private lives have sanctity and secrets are guaranteed. Such rights are not to be forfeited. The opening, perusal or surveillance of postal, cable and electronic communications shall be prohibited. It's also prohibited to intercept telephone conversation and any other means of communication unless by a justified court order for a defined period of time and in cases provided for by law.
- c. Security and intelligence organizations are not permitted to restrict personal freedom of citizen considering that they are a natural right and guaranteed and shouldn't be undermined unless when caught red-handed in a crime. It's not permissible to arrest or frisk anyone or prevent any individual from movement. Freedom of an individual must not be restricted unless by a justified court order and required by an investigation. Any individual whose freedom has been restricted must be informed in writing within 12 hours of the reasons and justification for the restriction of their freedom and to be referred to the judiciary within 24 hours from the time the individual's freedom has been restricted. Interrogation is only allowed in the presence of the lawyer of the

accused and if the accused has no lawyer, one should be appointed for the individual.

- d. Any individual arrested, detained or his/her freedom restricted in any manner must be treated in a manner that respects dignity. Torture, intimidation, coercion, or abuse physically or morally is prohibited. Detention must only be in decent places from a human and health aspects. The State shall provide decent places and violations of this shall be considered a crime punishable by law. Any statement made under torture or intimidation shall not be admissible.
- 17. Criminalization of the mutiny by the staff of the armed forces, security and intelligence services. Sit-ins, protests demonstrations in their units or outside whatever justifications or reasons. The staff of these institutions shall be given all legal rights, where rights and privileges are commensurate with their duties and responsibilities, accountability, mandate and powers.
- 18. Development of legal foundations and rules for the qualification and improvement of performance, modernization of curriculums scientifically, tactically, technically and nationally, increase efficiency, improvement of living standards of the staff of academies, colleges and schools of the military and security forces, develop qualitative building of the army and security forces, attentiveness to scientific research and military documentation in all types and ranks of the armed and security forces, consideration of equitable representation and equal opportunities for all residents of all governorates and districts of Yemen and operationalize all military schools and expansion of their buildings in Sana'a, Aden and in any other governorate.
- 19. Rely on scientific research in the diagnosis of the gaps and weaknesses and propose solutions, as well as, provide required data to the planning bodies to enable them to restructure and development and contribute to an integrated database that serves the process of development of the military and security institutions and supports and promotes researchers in the military and security field as well as relevant research and studies centres. Attentiveness should be given to applied research in the field aiming at improving the efficiency of the armed and security forces and development and modernizes these institutions to assist in the process of the

restructuring the armed and security forces and uplift them to the desired level. The scientific research should be allocated at least 1% of the total budget of the ministries of Defence and Interior.

20. The duration of the study in military academies shall be fixed at four years instead of three years. Additional subjects on civilian studies should be added to the curriculum consisting of military subject so that an army officers graduates with a Bachelor degree in military sciences and a diploma on civilian subjects in a similar manner as that taught in the police academy. This would enable the officer to perform his/her duties in a highly efficient manner to continue higher studies and secure a decent life after retirement by working in civilian institutions. The regulations shall define the additional subjects (in the management sciences).
21. The subordination of the Moral Guidance Department in the new structure shall be under the direct authority of the Minister of Defence. This is to ensure the activation of its role and activities of the Moral Guidance and Military Media of the armed forces, development of programs, events, and activities to improve morale and discipline and consolidates national unity. There should be a study of the underlying causes and negative effects of low morale and lack of discipline, low level of fighting skills and training. Negative phenomena shall be analyzed and solutions shall be developed in coordination with commanders of these forces, military regions and units. The objective of that is to promote high morals amongst personnel of the armed forces, enhance their positive role, cultivation of their skills and talents, guide their behaviour towards the strengthening of patriotism, which will eventually raise the preparedness of the armed forces and create a national military doctrine. Islam, as a moderate, fair and tolerant approach shall be at the core of the new military doctrine, the core and substance of military education and awareness to enhance morale of the armed forces removed from sectarian, partisan, and regional discrimination and divisions.
22. Legal regulations of the awareness programs for the security and police staff to remove the impact of the wrong mobilization by the conflicting parties during the past and to strengthen the values of national loyalty, tolerance and reconciliation. A specific policy should be adopted based on loyalty to the nation, rule of law, services

of the nation and the improvement of the professionalism of the staff in line with standards of efficiency and professionalism. The security services and the staff shall be subject to control and monitoring of the legislative branch to enhance national unity.

23. Restructuring and rearrangement of the military medical services, provision of financial resource to build a model military medical compound in the capital, rehabilitation of existing military hospitals, establishment of model hospitals in military districts and adoption of financial bonuses for military doctors and medical staff in par with that applied in hospitals run by the Ministry of Public health. Medical insurances should be apply to the staff of the armed forces so as to benefit from this scheme in support of military hospitals. Work should be done to implement the electronic medical card system and electronic control for the supply and dispensing of medicine and the works of hospitals in general. Those convicted of corruption in the medical services shall be referred to the military judiciary for prosecution. Actions aiming to yemenizing medical staff in hospitals shall be taken. All commands in medical facilities shall be from amongst the military medical body and effort shall be made to curb sending patients for medical treatment abroad.
24. Take inventory of, and issue unique numbers for all arms, equipment and transport vehicles. These should be recorded in the registers of the competent authorities. Periodic inspection and annual inventory taking should be done under the oversight of the Control and Inspection Departments in the Army and Security services. The movement of weapons, machines or transport equipment outside their permanent sites of the units is prohibited with the exception when performing official assignments under the orders of the Ministry of defence.
25. Recruitment to replace deserters is strictly prohibited under any name. Deserter's salaries shall be removed from the rolls and sent back to the military treasury.
26. Rearrangement, organization and formation of the armed forces in terms of armaments and ammunition on the basis of the established in military sciences with respect to human and financial resources and practices in armies around the world. This can be achieved through the merger of military units which doesn't have full staffing and equipment with other similar units (fighters, armament, tools,

equipment, etc...) Likewise, the units with a surplus of human resources and armament can be divided into more than unit.

27. Reduction of the size of the Special Forces and the strategic reserve forces, missile brigades and the reserve of the Ministry of defence and presidential protection units. The subordination of these units shall be defined along with the assignments they are performing. Transparent mechanisms shall be put in place to remove the disparities and privileges between all units of the armed forces, with the exception for privileges given to the two air and naval forces so that rights and duties are equal in all units.
28. Establishment of reception centres in military districts and in any area which the Ministry of Defence deems appropriate to receive applicants for recruitment and distributions of the new recruits to the different military units. The centres shall be responsible for receiving the vetting process for admission to military colleges and institutes.
29. The Ministry of defence, security services, intelligence services, military commands and the Department of Moral Guidance shall educate officers and the ranks and file of the armed forces on the laws and regulations of the military and on respect for human rights.
30. Private businesses and contracting shall be prohibited for the commanders of the military during the effective term of service. The law shall define the penalty for violation of this rule.
31. Development and diversification of military industries and to benefit from the experiences of fraternal and friendly countries experiences and in coordination with them.
32. An immediate and serious review of the conditions of instructors and academics in the military in terms of promotion and adjustment of their standing should be done to raise them to the same level as that in government universities with respect to their salaries, allowances, bonuses and other privileges. Work should be done to improve their academic standing and to keep up with the accelerated development in military sciences and information technology. Transport, uniforms and food should be provided to the cadets in higher military academies. The certifications

issued by military educational facilities shall be accredited locally and aboard (BA for military academies, MA for the Command and Staff College and the High Military Academy) and in accordance with the law.

33. Halt to all signs of foreign interference including air strikes and a prohibition on the establishment of foreign military bases.
34. When military staffs are transferred to work in civilian organizations, they are not permitted to carry their military ranks and all of the entitlements should be transferred to the civilian organization they have been appointed to. An exception to this rule should be given to those seconded to civilian institutions for a limited and specific period of time.
35. Full care should be accorded to the children and families of martyrs, the wounded and disabled veterans of the armed and security forces with respect to their financial situation, education and health and without any discrimination.
36. Establishment of a competent body in the Ministry of Interior to be responsible for community partnership to enhance relationship and confidence building as well as positive communication between the security services and the community.
37. Issuance of a law to regulate the private security firms and defines their activities and relationship with the official security organizations and all matters relevant to their activities.
38. The national and political security organizations should be merged into one organization. A general intelligence organization shall be established by law consisting of two sectors, one external and another internal. The law shall clearly define the mandate of the organization. It shall define the mechanism of control by the legislative authority and the Central Audit and Control Organization over the intelligence services. This should be in a manner that protects the confidentiality of the work of the intelligence organizations. It should provide that the work of the intelligence organization is confined to data collection, analysis and investigation and to refer the cases to competent authorities. The Intelligence Organization shall not have the powers to arrest, seizure or detention, i.e. no judicial enforcement powers should be given to it. The organization shall only refer the cases to the competent and professional policing agencies to make the arrest or seizure following the

referral of the case to the public prosecution (*Some of the members of the WG requested that this decision be removed since it is repeated, while others insisted that it should stay. A decision was taken to submit this to the Consensus Committee as stated clearly in the minute.*).

39. Regulations should be issued to define the tasks and responsibilities of the military intelligence and to clarify the mechanism of control so as to protect the confidentiality of the work it carries out. It should carry-out its mandate in accordance with the constitution and the law and shall respect internationally recognized human rights.
40. Approval of salaries for the martyrs of the military and the wounded who have not been given salaries. Their salaries should be the same as their counterparts without any discrimination.
41. The Border Guards security (land and air security) in all ports is part of the Ministry of Defence. The law shall regulate their mandate and competencies.
42. The border guard's forces are part of the Ministry of defence. The law shall regulate their tasks and responsibilities and competencies.
43. Sections specializing in women, children and domestic violence cases staffed by women shall be established in police station.
44. Establishment of a civilian commission from amongst persons with integrity to monitor the performance of the intelligence organization with respect to public rights and freedoms and to ensure prevention of excesses and abuses in violation of the constitution and the law. (*This decision didn't receive consensus and was referred to the Consensus Committee.*)
45. Two Higher officers commission shall be established in the Military and Security services to be chaired by the ministers of defence and interior. Their most important function should be as follows:-
 - Develop annual promotion plans for various ranks.
 - Nomination of officers to command positions, key posts and define seniority.
 - Develop training and qualification plans and oversight of implementation.
 - Recommend the retirement of officers and consideration of requests for resignation.

- Recommends the termination of services of an officer, restatement, transfer and other task and responsibilities (*This decision didn't receive consensus and was referred to the Consensus Committee*).

46. Legislations should ensure a decent life for retirees and a generous end of service payment to enable them to lead a decent life. Military and security service legislations and regulations should be reviewed with respect to salaries, pensions and retirements to ensure non-repetition of what happened in the post 1994 war.

47. Organization of civil defence, provision of material resources for units in all parts of the country, and the approval of a hazard allowance for the staff of this service.

48. Reorganization of the prisons authority, provision of sufficient budgetary allocations and support it with highly qualified staff to enable it to carry out the reformatory and rehabilitation programs. Financial incentives should be given to the staff. One security body should be responsible for guarding prisons. The authority should abide by classification of prisoners considering that prisons are reforms, rehabilitation and cultivation subject to judicial oversight. Any act which degrades the dignity of an individual or subjects the individual's health to danger shall be banned. The State shall be responsible for the rehabilitation of those convicted and to facilitate their livelihoods after their release. Kindergartens should be established in prison to provide care for the children of female prisoners.

49. A law that regulates the carrying and possession of personal weapons shall be issued.

50. The job rotation system should be applied to all commanders of the armed and security forces. Application should start with the current leadership in a manner that realizes the standards of seniority, efficiency, qualifications, specializations and national representation removed from nepotism and favouritism towards relatives, personal interest or mediation. The retirement system should be invoked in accordance with the law.

51. The use of Qat in military camps and during the performance of duty by all military and security staff shall be prohibited, violation of which is punishable by law.

Third: Executive Decisions for Immediate Action.

1. The Ministry of Interior should obligate the Ministry of Interior to quickly prepare comprehensive security plans to enhance and strengthen the role of the security force in all its branches in the governorates, districts and highways to ensure that the Stature of the State is imposed, provide security and stability and public tranquillity for the people and to protect public and private properties.
2. Reinstatement of all Southern retirees, the excluded and those who didn't continue their service forcibly as a result of the 1994 war to their jobs and to grant them all their entitlements such as ranks, settlements and compensation for the past. The wages and salaries strategy should be applied in their cases including the five-figure holders who were ordered to be reinstated in 1990 but weren't implemented despite the establishment of two commissions one in 2006 and the second in 2007.
3. Reinstatement of those who were forced to retire or removed from services in the Northern Governorates; on top of whom were those affected by the wars in Sa'adah and the 1994 war. All their entitlements and rights shall be granted to them in line with those granted to their counterparts. The period spent in retirement or out of services shall be accounted for and the salaries and wages strategies should be applied to their cases.
4. Issuance of Presidential directives for the establishment of a special commission to look into the cases of those who were forcibly removed and retired in the Northern Governorates.
5. Return of the military numbers given to new soldiers to the original holders and credit their service with the time they were out of service in calculation of their entitlements and ranks. It shall not be considered for the purpose of retirement. New numbers should be issued for those who had been given these numbers and their period of service should be calculated.
6. All those who have reached any of the deadlines for retirement by officers and the ranks and file shall be given retirement by virtue of the law. They are to be given all their entitlements and rights including the end of service bonus in a manner that guarantees a decent life for them after retirement.
7. Removal of the double dippers in military, security and other organs of the State.

8. Redistribution of the manpower after all actions referred to above have been implemented, current situation analysis and precise assessment of the situation should be made and determination of the effective manpower to reflect representation of all people of Yemen in an equitable manner for all governorates and areas as follows:
 - a- 55% land forces, Infantry, mechanized troops, armoured forces, artillery, battalions and platoons for combat security, engineers, communications etc. The ratio for the distribution of the land forces should follow the following:-
 - From 75-85% combat fighters, from 8-10% commanders and from 4-5% administrative and technical staff.
 - b- 30% for naval and coastal defence forces. For this purpose, a restructuring and reorganization should be taken and to reallocate the naval forces with a focus to infrastructure, the establishment and preparation of naval forces, harbours, docks and workshops and the development and modernization of the naval forces by furnishing fast ships and boats for rapid response armed with various types of missiles so to building a striking force to enable it to carry out its role and responsibly effectively as needed.
 - c- 15% for the Air and Air Defence Forces. On that basis, the forces should be restructured, reorganized, redeployed. These forces shall be modernized in a manner which is suitable for the operation theatre. Surface to Surface missiles should be provides and surface to air missiles should be providing in a strategic approach to create a deterrent forces. Helicopters should be upgraded as a weapon against tanks and for evacuation and rescue operations. A sufficient air defence system should be developed to provide field protection for the land and naval formations and vital targets of the State. They should enjoy swift mobility to accompany the mechanized land forces and in a manner that will create a strong air force with defence and offensive capabilities for a distance suitable for the operation theatre.
9. Rehabilitation of old airports and the establishment of new airports in remote governorates and military districts.

10. Bolster readiness and combat capabilities for the main branches of the armed forces (land, navy, and Air force) at all levels and provide the needed requirements for the purpose.

- Provisions of modern light and medium size weapons for the Special Forces suitable for use in mountain areas and special missions.
- Provision of land equipment and weapons with a capacity of higher mobility and firepower.
- Work to increase the firepower for the formation and units in compatibility with the tactical and mobilization movement.
- Work to provide advanced automated control mechanisms to keep up with the requirements for modern warfare.

11. Preparation and organizations for the operation theatre, administratively, technically and operationally and for structures for the redeployment of the units in accordance with the operation theatre (the seven districts).

12. Re-deployment of all units which have been stationed for decades in the same area as part of the redeployment process in the military districts and the operation theatre. The redeployment of units shall exchange units between areas according to their needs and types and size of the units so that the formation will be complete (combatants, weapons, transport and equipment).

13. Determine the types of required forces and vehicles needed for each military district according to conditions in the ground and the possible tasks and missions and the establishment of military prosecutions and courts and branches for the military police at the level of each military district.

14. Remove all military bases from cities in parallel to the disarmament and withdrawal of all militias and armed groups.

15. Develop a uniform general military strategy for the armed forces, programs and plans for each military district and operation theatres according to the nature and in a manner that realizes the planned objectives and defence tasks successfully.

16. Fast stock-taking of all the heavy, medium and light weapons and explosives, equipment and machine which have been looted, distributed or sold or disposed of in any manner in violation of the law from the armed and security forces stores and

all the military units. Decisive actions should be taken to reacquire such weapons from all parties who have taken these equipment (Islah recorded a reservation against this decision).

17. Reconsideration of the situation regarding those who were recruited during the period from 2011-2013. *(This decision didn't receive consensus and was referred to the Consensus Committee).*
18. Establishment of a special unit in the Military Police Command. All soldiers serving as bodyguards for military commanders should be transferred to this unit. The minimum and maximum number of body guards for each commander shall be defined. All bodyguards shall be given training and qualification courses in their field of work.
19. All military bodyguards assigned to civilian officials at all levels shall be transferred to the Ministry of Interior's Department for the Protection of facilities and officials. The same conditions as those applied to their colleagues in the Military Police shall be applicable to them.
20. Reform of the security sector by developing professional foundations for the reform of the security system and the promotion of its role as a civilian body providing a service. Policemen and not other should be assigned to carry out security and police missions and duties.
21. End to any duplications or overlaps in tasks and responsibilities of the security, military and intelligence services.
22. Police and security forces should be restructured and reorganized in line with the new shape of the State based on the needed balance.
23. All military and security structures acquired by private persons shall be returned to the military and security bodies.
24. Quick release of all detainees in the intelligence services prisons in violation of the law and those who have served their sentences or those who not been convicted or political detainees.
25. The graduates of military and security academies shall be distributed immediately upon their graduation to field military and security units to serve in those units for a

period not less than 4 years and in line with their competencies. Following the 4 years, they can be transferred to other units according to need.

26. Field service shall be imposed on all officers for a period from 6-12 months for each rank that an officer is promoted to and following the enrolment of compulsory courses and advanced courses which entitle them to higher ranks.
27. Review of the new appointments in the military and security forces to identify the extent of compatibility with the foundations for national and professional conduct.
28. The work of the intelligence organization shall be confined to intelligence gathering and analysis and the referral to competent bodies. Beginning now, they have no right to detain arrest or carry out any act that falls under the mandate of another body. All security and intelligence agencies shall conduct their business and competencies in a manner that doesn't contravene the principles of human rights and freedoms guaranteed for the citizens by the Constitution and the law.
29. All military officers and rank and file affiliated with political parties or organizations or groups should immediately tender their resignation and perform the oath that they will abide by the rule not to engage in partisan or political activities. If they are interested in continuing their political and partisan activities, they have to tender their resignation from serving in the military, security and intelligence services and be transferred to the public service.
30. Move juveniles who were convicted by court to juvenile detention centres. A decision to establish a juvenile reformatory in cases connected with national security or terrorism should be urgently enacted. Those under legal age should be moved to this new facility to ensure psychological reform. The reformatory shall comprise a religious rehabilitation centre to educate the detainees on moderate Islamic and Shariya'ah sciences and academic qualification in post-secondary and community college levels. The reformatory should be supervised by the judiciary in a manner that ensures rehabilitation and reintegration into society.
31. Provision of the financial and human resources and all necessary means for the Military Intelligence Department and expand its powers and presence of its staff in all military districts and units to enable them to perform their duties and tasks entrusted to them and their independence.

32. Completion of the payment of salaries of the staff of the armed forces using the electronic cards and coordination with the Ministry of Finance and the Central Bank, other banks and the postal system to adopt a uniform salary payment system.
33. Enable the Central Audit and Control Organization (COCA) to carry out the legal financial and administrative control in all military, security and intelligence services and to take legal action accordingly according to law including the suspension of any staff members in those organizations who obstructs the work of COCA or refer the staff member to the Prosecution for an investigation with consideration to scientific and technical auditing procedures and in a manner that takes account of the sensitive nature and confidentiality of the work of these agencies.
34. Issuance of presidential decrees for the return of those forcibly removed and retired who are included in the list of the Presidential Commission and obligate military and security bodies to be prepared to receive them and carry out the necessary adjustment for their reinstatement in a manner which match their levels, qualifications, specializations and their former positions.
35. The Ministry of Defence shall make the necessary arrangement to adjust the situation of those included in the decrees which have issued requiring their reinstatement in a manner that befits their qualifications and service and to grant them all their entitlements including promotions, ranks, tenure and compensations. The same is applicable to all staff of the Ministry of Interior and the Political Security.
36. The Political Security Organization shall implement the Wages and salaries Strategy of 2007 to retroactively adjust the situation of martyrs and the dead.
37. The Ministry of Interior and the Political Security Organization shall promote those who have remained in the same rank in a similar manner as their colleagues and in accordance with the lists submitted and in accordance with the law.
38. Reinstatement of staff in the former army of the Peoples Democratic Republic of Yemen who were absent due to the harassment, exclusion and marginalization practices and were replaced by other soldiers who were given their numbers and considered deserters to the jobs . They shall be compensated for the past. Staff from the Northern governorates in the same disposition shall be treated the same.

39. Grant graduates of the 1990 course held in Moscow in 1990 of the naval base the military rank that equals that of their counterpart in the Hodeidah naval base who took the same specialized training.

40. Grant members of the National front who were given military numbers in the military and security institutions in the South before the blessed unity in accordance with the agreement of the leaderships of the two parts, following the suspension of the armed activities of the National Front who had their entitlements suspended and were excluded late 1990 all their entitlements and rights.

41. Completion of the 31 points development by the Technical Committee for the Preparation for the National Dialogue Conference and the Working group on the Southern Question which were reconfirmed by the first and mid-term plenary of the NDC.

- **Recommendations**

- The Restructuring Committee should seriously consider all actions to ensure that mistakes of the past are not repeated in all its forms. (*the same recommendations were included in the previous report of the WG*).
- Work for the restoration of trust between the people and the Military, Security, and Intelligence Services (*the same recommendations were included in the previous report of the WG*).

- **Recommendations on Civil Defence:**

- Adoption and implementation of the General Plan for disasters management and provision of requirements to fulfil the shortfall in this aspect
- Completion and implementation of operations and sirens project.
- Establishment of offices in the governorates where there are no premises and provision of fire fighting equipment for these premises.
- Completion of the legal structures and appointment.
- Provision of diving suits and protective uniforms for personnel.

- **Recommendations on the Criminal Investigation Department:**
 - Development of the organizational structure for the functions of the Directorate General of Criminal Investigation and its branches in the governorates.
 - Establishment of branches in districts where there are no branches.
 - Creation of information network linking the Directorate with the branches in the governorates and provide a sufficient number of personnel in these branches.
 - Rehabilitation of buildings and provision of technical capabilities.
 - Appointment of the right person in the right place
 - Strengthen the Anti-drug unit, creating controls in the land and sea borders, and fill the shortage of resources.

Recommendations on Civil Status (Civil Affairs):

- Establishment of branches of the Civil Status Authority in the governorates, the provision of requirements, supplies and necessary funds needed to manage the activities to improve the and facilitate the service to the people.

Recommendations on the Prison Authority:

- Provision of sufficient budgets to meet the operational need and for food, and medications.
- Separation of prisoners on the basis of nature of the crime and age.
- Provision of full care for juveniles and a special detention facility to accommodate the large number of women.
- Resolve the situation of prisoners who have served their sentences and remain in prison.
- Completion of the organizational structure of the prisons authority and the special law.
- Study and determine to whom oversight over the authority should go, either the Ministry of Justice or the Cabinet. Successful experience in other countries should be taken into consideration in this respect.

- Security of prisons should be the responsibility of the prison authority alone and presence of all other units shall end.
- Strict measures should be taken to prevent smuggling of drugs and weapons into prisons and punitive actions should be taken against violators.

Recommendations on the Coast Guards Authority

- Provide adequate allocations for steering activities in general.
- Establishment of infrastructure and maintenance workshops in areas where there is no infrastructure, especially the eastern region of the coast.
- Provision of sufficient personnel according to the needs of the overall activity.
- Fill the shortage of staffing to meet the need of operations in general.
- Approval of the organizational structure of the Authority and complete appointments to posts specified in the structure on the basis of qualifications.
- Merge the border guards in the Ministry of Defence to the Ministry of Interior. The responsibility for border control should be transferred to the Ministry of Interior represented in the Coast Guards to ensure an end to overlaps and conflict over jurisdictions and duties.

Recommendations on the Passport and Immigration Authority

- Resolve the deficit in the budget of the Authority.
- Approval of the organizational structure of the Authority for implementation.
- Act to create shelter for refugees from the Horn of Africa and establish control over their stay.

Recommendations for the Traffic Police and Road Safety

- The traffic police and road Safety forces should be restructured along national lines. The regional character in the structures of these forces should end. Deployment of these forces in areas and governorates should be needs-based.
- Provision of the necessary requirements for vehicles and means of communication.
- Provision of a sufficient budget for managing operations.
- Develop links between the governorates.

Recommendations on the Special Security Forces:

- Provision of sufficient resources for operations.
- Provision of communication, reporting, and guidance systems.
- Re-deployment and re-distribution of forces along national and scientific lines to meet the needs of the governorates and the regions.

Recommendations on improving the standard of living and medical services for personnel

- Development of a wage and salaries structure to ensure an improved monthly income for individuals and payment of bonuses in arrears to personnel such as transportation and risks allowances. Adequate food, housing and health should be provided to all personnel.
- Provide health insurance for the staff of the ministry and their families.
- Provision of therapeutic services in hospitals of the Ministry.
- Provision of sufficient funds to run the hospitals.
- Review of the salaries determination process for employees in the Investigation, criminal evidence, and the Counter-Crime Departments to provide for similar salary scale as those given to the staff of the prosecution.
- A serious review of the conditions of camps from a humanitarian aspect and provide the minimum standards for human dignity for the staff of the armed forces. Provision of suitable housing, cultural and sports and entertainment clubs, health facilities and other necessary services.
- Accommodation of the returnees in the units, brigades and forces in command position which befit them, their qualification and services and the post they have filled.
- Graduates of universities from amongst the staff of the armed and security forces have presented to the WG a number files containing applications for being granted the rank of "lieutenant" like their counterparts. Their situation should settled as follows:

- a. Enrol them in military and security academies like other students. Their period of service should be counted from the date they joined military service in the army and security forces according to the law.
- b. For those who have received promotion and have been granted the rank of "assistant" and have taken military courses and obtained a university degree, they shall be given the rank of "lieutenant" as a legal entitlement.
- c. With respect to the financial impact of the university degree, their cases should be settled like their counterparts who graduated from military academies.
- d. Or to be sent to the civil services in accordance with their academic qualifications.

Recommendations and suggestions on a number of urgent actions

1- The Budget of the armed forces shall be distributed as follows:

- Salaries	45% of the budget
- Administrative and technical	15%
- Preparation of the operations theatre and structures	15%
- Training and qualification	15%
- Scientific Research	1%
- Other requirements (health Insurance and others)	9%

Actions and Mechanism to ensure contribution to the reorganization process:-

1- Accelerate actions and mechanisms that will ensure the restructuring and organization of the armed and security forces to build an independent and neutral national institution based on modern standards and national foundation, most importantly:-

- a. Reinstatement of those who were forced to retire or removed from services as a result of the 1994 war, or the Sa'adah and from the Northern Governorates in general including those who were dismissed from their units during the years 2011 and 2012. All their entitlements and rights shall be granted to them in line with those granted to their counterparts, including ranks, adjustments and compensation for the past period. The Wages and Salaries Strategy should apply

to them. The holders of the five digit numbers who have been included in decrees calling for their reinstatement in 1990 and who were screened by the 2006 and 2007 Commissions but the decrees were not implemented should be covered.

- b. All of those who have reached one the prerequisite for retirement, officers, rank and file, should be referred to retirement by virtue of the law. They shall be granted all their rights and entitlements including the end of service payments in a manner that ensures a decent life in retirement.
- c. Everyone recruited in the army and security services during the past political conflicts and are fit for military services in terms of age and physical fitness shall be distributed to the units individually. They shall be given training and qualifications and integrated to the units. Those who do not meet conditions for recruitment to the military services shall be terminated and end of service payment given to them, or alternatively, a special fund should be set-up for them or referred to the civil service.
- d. All those recruited to the military and security forces and their age is more than the legal age for recruitment and who haven't been given training or qualification, their services should be terminated as follows:-
 - Less than ten years in services, to be given an end of service payment and termination of their service in the Military and security service.
 - Fifteen years in service, to be referred to retirement and be given 2/3 of their salary.
 - Twenty years, shall be referred to retirement with full salary; or alternatively, a special fund to be set-up for them or referred to the civil service fund.
- e. Elimination of double dippers in all military, security and civilian institution. Recruitment to replace an absent individual in all armed and security forces departments shall be prohibited.

Restructuring and Redeployment of the Border Guards:-

We reaffirm the need for a plan to restructure, reorganize and redeploy the Board Guards forces as a branch of the land forces in the armed forces. For the purpose of implementation, we suggest the implementation of the following:-

- a. Assignment of a number of the infantry brigades in the military districts to be stationed in the borders for at least six month.
- b. During the six month period, all human resources, vehicles and equipment should be recalled to the training centres in the military districts.
- c. Screening of the human resources in the training centres as follows (older age to be referred to retirement and young soldiers to be considered).
- d. Those fit for service shall be reorganized, trained and qualified to perform their duties.
- e. Residents of border areas should be hired to fill the gaps in the Border Guards units which shall be restructured in regiments and companies to facilitate control.
- f. Groups, platoons, companies and regiments shall be restructured as follows:
 - Each group shall have a commander. The machine gun and bazooka carriers as well as the signal worker should be from the regular units and not from amongst the residents of the border areas.
 - The Border Guards should be armed with light weaponry, medium weapons and fast armoured vehicles.
 - They should be given the same salaries and food as those in the armed forces with the exception of the allowances given to staffs other than the residents of the border areas.
 - Border Guards, while performing their duties, to be mandated with the judicial enforcement powers.
 - Powers and competencies and role for the Border Guards, Coast Guards and their subordination should be defined.
 - Establishment of training centres for the Border Guards and the provision of needed vehicles, tools and resources.
 - Establishment and restoration of monitoring and warning points inland and on the coasts.

Restructuring and Organization of the Security Forces

- a. In order to arrive at qualitative and model building of the security forces, measures to ensure the achievements of those goals should be taken as in the following:-
 - Group all current police force in the governorates and districts to training centres and schools.
 - Screen those who are fit for the service and reorganize them and prepare them for the performance of their duties.
 - Refer those who meet conditions for retirement.
 - Special Forces units should replace the security units in governorates and districts
- b. The units of the Special Forces who will be deployed to the governorates and districts should be replaced by regiments from the armed forces infantry as a temporary deployment to respond to any emergency in any district or attach the Special Forces units and subject them to rules of public security.
- c. In all cases, the reorganization will assist the Ministry of Interior to provide peace and security and impose the stature of the State by development of a plan for regrouping and redeployment in the governorates and district by an average of 100 soldiers for each district and a reserve regiment in every governorate. The number of soldiers in this regiment should not be less than 500 soldiers to be supplied with all necessary means and weapons to enable them to implement the plan. Given the existing resources, the needed force to cover the need of all governorates and district shall not exceed 50,000 soldiers i.e. one quarter of the force available now to the Ministry of Interior.
- Compliance to the regulations for summoning the wanted from amongst the citizens for any reason and in all cases to protect the citizen from blackmailing, the creation of a respected stature for the State and protection of the honour and dignity of the soldiers from the need to beg. For that purpose, we recommend:-
 - a. Provision of a petty cash with officers of the security committees in the governorates and districts. The cash should be deposited in the duties treasury.

- b. The travel allowance should be paid to the soldier/s assigned to summon any person if he has refused to respond to the summon.
- c. When bringing the person or persons wanted, they should pay the amount of the travel allowance paid to the soldiers to the treasury and should be given an official receipt for that.

Annexes: