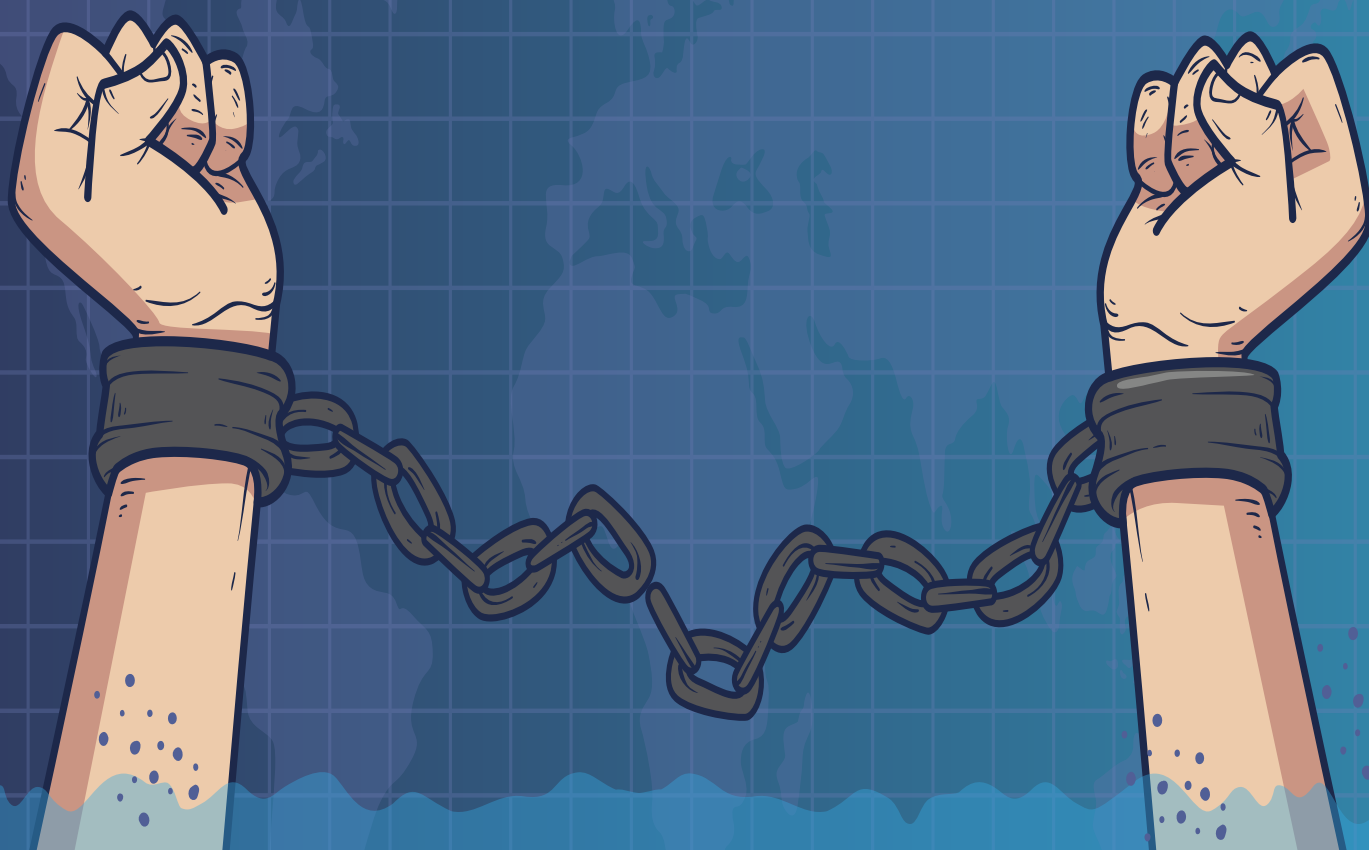


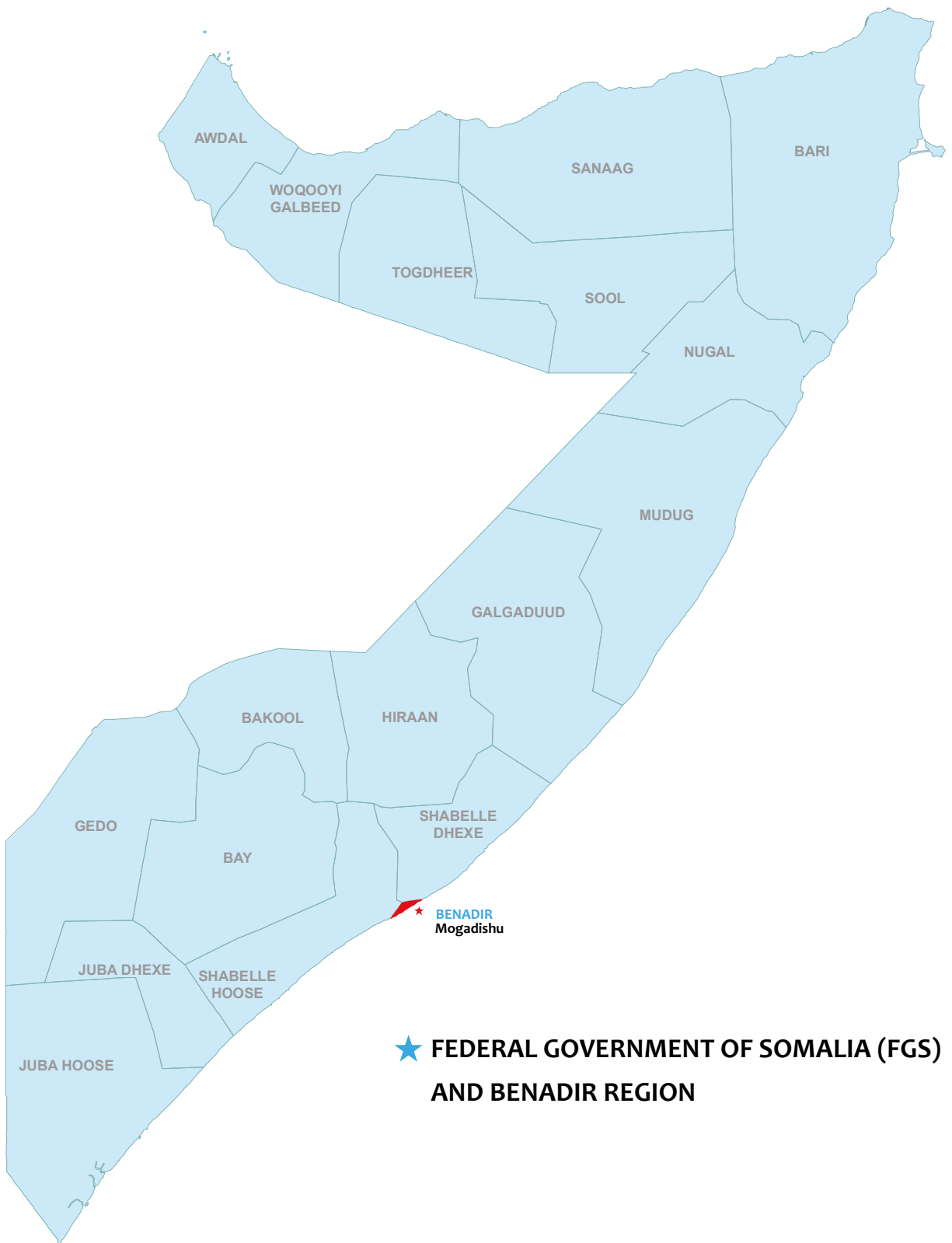


**ORGANIZATION FOR
PRISONERS' RIGHTS**

ANNUAL ASSESSMENT REPORT ON THE STATE OF HUMAN RIGHTS VIOLATIONS IN MOGADISHU PRISONS AND DETENTION FACILITIES

December, 2023





EXECUTIVE SUMMARY

In 2016, Somalia went through a significant transformation as it shifted into a Federal State consisting of six Federal Member States: Galmudug, Hirshabelle, Jubaland, Puntland, Southwest State, and the self-proclaimed Republic of Somaliland. When addressing the subject of prisons and detention centers in Somalia, the primary focus is on the prison facilities within these six Federal Member States, as well as the prisons and detention facilities located in the Benadir Region (Mogadishu).

This annual report aims to offer a thorough summary of the human rights abuses taking place in prisons and detention facilities in Mogadishu. It also seeks to bring attention to the condition of prisons and investigate alternative community-based options for incarceration. Moreover, the report strives to evaluate the living conditions of both detainees and individuals who are awaiting trial or have been sentenced.

Somalia is firmly committed to protecting and upholding human rights and human dignity, including a genuine dedication to preventing and fighting all types of torture. Somalia also reaffirms its backing for international human rights mechanisms and tools that forbid torture, with the Convention against Torture (CAT) being the main treaty. Further measures against torture are outlined in Article 5 of the Universal Declaration of Human Rights (UDHR) and Article 7 of the International Covenant on Civil and Political Rights (ICCPR), which prohibit torture and the infliction of cruel, inhuman, or degrading treatment on any person.

Despite extensive efforts, various ongoing issues persist in Mogadishu prisons, such as uncontrolled outbreaks of violence, resulting in loss of life among inmates. Diseases are the leading cause of death in prisons, while insufficient supervision result in easy access to weapons, lack of separation of different categories of prisoners, and competition for basic necessities contribute to inmate-on-inmate abuse. Corruption and physical abuse by guards are persistent problems, particularly impacting female prisoners who are vulnerable to sexual abuse. Almost every prison in Somalia suffers from overcrowding, and the facilities are old, outdated, and deteriorating physically.

ACRONYMS

CAT	Convention against Torture
AS	Al-Shabaab
CT	Computed Tomography
FGS	Federal Government of Somalia
OPR	Organization for Prisoners' Rights
ICCPR	International Covenant on Civil and Political Rights
ICRC	International Committee of the Red Cross
MCP	Mogadishu Central Prison
MPCC	Mogadishu Prison and Court Complex
MRI	Magnetic Resonance Imaging
NISA	Somali National Intelligence and Security Agency
ATMIS	African Union Transition Mission in Somalia
SOB	Sexual Offences Bill
STDs	Sexually Transmitted Infections
TB	Tuberculosis
UDHR	Universal Declaration of Human Rights
UN	United Nations
CID	Criminal Investigation Directorate
IDPs	Internally Displaced Persons
SC	Solitary Confinement
MRG	Minority Rights Group International
NGOs	Non-Governmental Organizations
ISIL	Islamic State of Iraq and the Levant
CRC	UN Committee on the Rights of the Child
SOYDEN	Somali Youth Development Network
WOC SO	Women and Child Support Organization
GFP	UN Global Focal Point Arrangement on Rule of Law
CAS	Comprehensive Approach to Security
UNDP	United Nations Development Programme
UNOPS	United Nations Office for Project Services
UNODC	United Nations Office on Drugs and Crime
SONSA	Somalia Non-State Actors

ACKNOWLEDGMENT

The data used in this report was gathered by the Organization for Prisoners' Rights (OPR) from prisons and detention centers in Mogadishu, with the collaboration of the Ministry Of Justice and Constitutional Affairs of the FGS, Somali Custodial Corps, and Somali Rights Org. The report was authored by OPR, with contributions from Ismail Mohamud Abukar, who is the Head of the Human Rights Department, Co-Founder, Researcher, and Investigator; Abukar Hassan Ahmed, Co-founder, Board Member, and Former FGS President's Human Rights Adviser; Ahmed Mohamud Hussein, Board Member, and Researcher; Abdirashid Hassan Abdi, Director of Graphic Designer; Osman Mohiadin Shatah, Director of Somalia Non-State Actors; Dr. Teko Patrick Samson, Head of the Makerere University Research Department; and Fathiya Mohamed Abdullahi, Community Engagement Specialist at BRA, who served as the reviewers.

If you need further details about this yearly report, feel free to get in touch with us.

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INTRODUCTION

The Annual Report of the Organization for Prisoners' Rights (OPR) thoroughly outlines the accomplishments and influence of the organization's efforts in 2023. Federal Government of Somalia (FGS) has established six (6) Federal Member States and Benadir Region since 2016. The management of prisons is the responsibility of the Commander of the Custodial Corps. There has been a notable rise in the number of prisoners since the FGS initiated its anti-Al-Shabaab (AS) campaign. Despite receiving targeted aid from the international community, the Somali prisons and justice institutions continue to grapple with effectively administering justice, upholding law and order, and offering accessible justice services to prisoners and detainees. The urgent necessity of reforming the court system and prosecution services persists.

OPR conducts visits to detention facilities in Mogadishu to highlight the importance of addressing discrimination, promoting and ensuring humane conditions for detainees, and advocating for their dignity. From 2021 onwards, the OPR has collaborated with humanitarian organizations, prison authorities, and civil society to establish and uphold dignity in the detention facilities.

PRISONS AND DETENTION FACILITIES CONDITIONS

Prisoners and Detainees Demographics

The vast majority of prisoners in Somalia's prisons and detention facilities are adult male, with only a few female inmates. There are also minors and individuals with disabilities in these facilities.

It should be noted that ever since Somali President Hassan Sheikh Mohamud, returned to power in May 2022 the war against AS, was one of his main campaign promises, he established an anti-AS campaign led by the

Federal Government, local militia (Ma'awisleey), African Union Transition Mission in Somalia (ATMIS) forces and Turkish and US forces. The anti-AS campaign led to the arrest of many extremists, some of them very young (under the age of 18) from Bay and Bakool regions and are now in prisons in Mogadishu, Baladwene, BuloBurte, and Jowhar facing harsh conditions and are in a dire circumstances enduring severe hardships, particularly the injured without adequate medical attention.

A recent survey by the Organization for Prisoners' Rights (OPR) at Mogadishu Central Prison (MCP), Godka Jilacow Prison, and Mogadishu Prison and Court Complex (MPCC) indicates that there are about 1792 male inmates, 28 female inmates, 109 male juvenile prisoners, and no female juvenile inmates.

There are a total of 953 remand prisoners, with 17 of them being female and 877 being male; 59 of the remand male prisoners are under the age of 18. According to a survey conducted by OPR in Mogadishu Central Prison, it was discovered that 47 inmates in MCP have served their mandated term but are still in prison. OPR couldn't verify this information independently.

Furthermore, The OPR conducted a survey in Godka Jilacow Prison, revealing the presence of 98 political prisoners and detainees and 198 individuals associated with Al-Shabaab. However, OPR was unable to independently verify these numbers.

The same Survey reveals that there are 234 detainees, consisting of males, females, and individuals under the age of 18, held at the 18 District Police stations in Mogadishu and 74 detainees including 21 female in the Criminal Investigation Directorate (CID) headquarter in Mogadishu. As summarized in the table below;

Table

Table below shows the Population and Distribution of Prisoners in Mogadishu Prisons

CONVICTED PRISONERS			
MOGADISHU PRISONS			
MCP		MPCC	
Male	1792	Male	309
Female	28	Female	0
Male Juvenile	109	Male Juvenile	0
Female Juvenile	0	Female Juvenile	0
Total	1929		309
REMAND PRISONERS			
MOGADISHU PRISONS			
MCP		MPCC	
Male	877	Male	0
Female	17	Female	0
Male Juvenile	59	Male Juvenile	0
Female Juvenile	0	Female Juvenile	0
Total	953		0

Administration and Recordkeeping

Prisons and detention facilities in Somalia do not have ombudsmen and recordkeeping remains inadequate. A lack of comprehensive policy frameworks on the management of manual records has been cited as a major impediment to adequate digital records management. A registrar officer in the MCP pointed out that;

“Mogadishu prisons do not have legislation dealing with electronic records (e-records) and electronic archives management”.

The officer also stated that; “the main difficulties in managing records, especially manual records, stem from outdated methods (such as using recordkeeping books), inadequately trained staff, and shaky policy formulation and implementation. Additionally, the officer highlighted that these challenges involve

outdated manual systems, reliance on manual processes, greater likelihood of data and record loss, threats to reliability and authenticity, compromised security and privacy, higher expenses, dispersion of information, and greater demand for IT specialists”.

Frequently, prison administrators express concern about the alarming frequency of misplacing and losing important records, as well as the sluggish pace of retrieving necessary records from storage, the gathering and distribution of information in jail offices are hindered by the lack of computers and printers, according to the officer.

Additionally, in Mogadishu and throughout Somalia, the majority of individuals responsible for maintaining records and archives lack formal training in records management. Instead, they are typically chosen based on clan-related practices, often without an educational background. Subsequently, these individuals advance to become records managers through either promotion or seniority, without receiving formal training in archives and records management. Research conducted by OPR revealed that none of the employees in the registry departments had undergone any specialized training in records and archives management.

Prisons and Detention Facilities Infrastructure

Somalia faces the issue of antiquated prison buildings, such as the Central Prison in Mogadishu, which holds more than ten times its intended capacity. The Central Prison, constructed during colonial times, is a prime example of the problem of outdated, and deteriorating prison facilities. Many prisons in Somalia, built in the 19th century, require ongoing maintenance but are still in operation. Additionally, numerous prisons lack an effective plumbing system.

The majority of correctional facilities require either renovation or reconstruction, as many buildings date

back to the colonial era. Except for the Police Headquarters, all of Kismayo's jail facilities are in a state of disrepair. The central jail in Mogadishu is in dire need of maintenance due to extensive damage. Baidoa's main jail is quite old, and hot, and has poorly ventilated cells. In addition, these prisons and detention facilities lack dedicated facilities for female detainees and prisoners.

Family and Information Availability

Access to family members and information presents a very big challenge and affects access to justice for some of the prisoners in Somalia's prisons. For example, young boys from Bay, Bakool, and Lower Shabelle are in prison far from where their families can come and visit them. The majority of prisoners and detainees has access to family members and are aware of the reasons for their detention. However, other prisoners arrested in southwest Somalia are imprisoned in Mogadishu far from their families and do not receive visitors.

It was established that in the past prisoners were allowed family visits every Sunday and Wednesday, but for over 1 year now, family visits have been banned. If an inmate is lucky enough to get a visit, the visitor is not allowed to carry food and other necessities and they are asked to pay \$20 for each visit.

After OPR spoke with one of the prison staff, he verified the claim without any reluctance, he stated that he operates a restaurant within the prison premises and emphasized that families are not permitted to bring food for the inmates. Furthermore, the officer disclosed that prisoners can only receive visitors if they are not carrying any food. Additionally, it was disclosed that when inmates have visitors, they are typically required to wait in line from 7 am to 3 pm. Finally, once visitors are allowed to interact with the inmates, there is a barrier between them, and they are charged 20 dollars

for the privilege. It was also horrifying to learn that to come out of one's room to enjoy some fresh air and sun inmates have to pay 5 dollars for 10 minutes.

Overcrowding in Prisons and Correctional Facilities

Somalia's prisons and detention facilities continue to grapple with the significant challenge of overcrowding. As an example, the central prison in Mogadishu was initially intended to accommodate 400 to 500 prisoners, yet the average number of detainees over the past three years has surpassed this capacity, reaching 1,993, which is more than triple the intended capacity. Furthermore, the situation has been exacerbated by the widespread influx of Internally Displaced Persons (IDPs) returning to various cities across the nation, as well as the government's anti-AS terrorist campaign under Hassan Shaikh's leadership.

Somalia's urban prisons and detention facilities, especially after extensive security operations, are often filled beyond capacity in the southern and central regions, as well as in areas controlled by AS. The prison conditions are reported to be severe and sometimes life-threatening. Nearly every prison in Somalia suffers overcrowding, leading to various serious abuses. This challenge is especially pronounced in smaller detention facilities for pretrial detainees, where individuals are packed closely together with little space to move. Overcrowding is also a significant issue in prisons under the control of AS, where a large proportion of inmates are housed.

Health, Hygiene and Nutrition

The healthcare provided to detainees is inadequate and does not cater to their needs. Inmates often face difficulties in accessing medications and medical attention. Health conditions are poor, especially in Kismayo, Baidoa and Mogadishu prisons. Detainees

experience significant challenges in receiving timely medical care due to the absence of functioning health systems in detention facilities. The main jails in Baidoa, Kismayo, and Mogadishu have a limited number of qualified medical staff. There is a lack of medical supplies and equipment for the nurses working in the detention facilities. Additionally, concerns have been raised about the exposure of inmates to extreme heat and insects.

According to research conducted by OPR, inmates in Mogadishu's detention facilities do not have access to medical care. As a result of the large number of prisoners, there is no isolation area for patients with tuberculosis (TB), and TB patients do not receive medication. Outbreaks of cholera and diarrhea, which are caused by high seasonal temperatures, have resulted in deaths and hospitalizations. The lack of laboratory equipment, trained laboratory technicians, proficient laboratories, and experienced laboratory staff hinders laboratory work. There are no first aid supplies or qualified personnel for emergency procedures, and there is also a shortage of emergency equipment. The medical departments in the prisons do not offer necessary examinations and tests, including ultrasounds, Computed Tomography (CT) scans, Magnetic Resonance Imaging (MRI), and other diagnostic procedures.

Therefore, should a prisoner's health worsen, they will be taken to an external hospital. medical professionals in Mogadishu prisons do not receive timely payment or training. Furthermore, the current medical facilities lack an ambulance, which makes it challenging to transport patients to hospitals in case of an emergency. Common illnesses include scabies, tinea versicolor, ringworm, hepatitis A and B, *Helicobacter pylori* (*H. pylori*), tuberculosis, Sexually Transmitted Infections (STIs), pneumonia, and anemia.

A prison officer recently provided details about the health situation at the Mogadishu prisons, stating that various diseases, including drug-resistant strains, have become widespread. Additionally, many individuals in prisons and detention facilities are affected by AIDS.

In a conversation with a doctor from De Martino General Hospital stated that;

“Mogadishu Prisons lack Medical ombudsmen and proper Medical recordkeeping for prisoners. The high seasonal temperatures have led to an increase in cases of diarrhea and cholera, resulting in multiple deaths and 38 hospitalizations. He also mentioned that the inmates are exposed to serious health risks due to the extremely poor sanitary facilities, and a shortage of medical personnel. The doctor additionally mentioned that tuberculosis is resurging, and there have been instances of inmates dying from tuberculosis”.

In prisons and detention facilities, hygiene poses a significant issue, with 80 per cent of facilities being judged unacceptable due to inadequate hygiene, mainly caused by a lack of or poor condition of toilets. The majority of institutions fail to provide inmates with appropriate bedding, with over 60 per cent of inspected prison facilities lacking sleeping amenities. The presence of shared sanitary facilities, insufficient hygiene measures, poor ventilation, and restricted access to communal areas are all physical and administrative factors that can facilitate the transmission of diseases. These conditions provide an optimal environment for infectious diseases to propagate if a prisoner or prison staff member becomes ill.

An inmate in MCP stated;

"I participated in a hygiene seminar related to the coronavirus outbreak. We were taught how to

wash our hands. But most of the time me and all inmates do not receive soap and other anti-bacteria products from the government and prison authorities, and my brothers are inside, I'll show them how to wash their hands and bath".

Access to nutritious and healthy food in Somalia's prisons and detention facilities has always been a consistent issue. All detention facilities struggle with providing adequate nutrition to prisoners, especially the most vulnerable ones. The combination of more frequent climate change-related extreme temperatures, the global COVID-19 pandemic and ongoing conflict has led to Somalia prisons having some of the highest rates of acute malnutrition and severe micronutrient deficiencies globally. Historically, the focus of much of the humanitarian effort aimed at addressing malnutrition in Somali prisons and detention facilities has been focused on the treatment of cases.

During a visit to detention facilities in Mogadishu, Baidoa, and Kismayo, OPR was able to interview some nurses who stated that inmates are receiving insufficient food, lacking both in quantity and variety. Many of these inmates suffer from anaemia and lack vitamin A. They are also more prone to infectious diseases and are at risk of developing severe acute malnutrition, characterized by dangerously low weight and severe muscle wasting. Further research is needed to determine the nutritional value of the food served in detention facilities, but qualitative data collected by OPR shows that prisoners' diets are unbalanced and of poor nutritional quality.

Water and Food in Prison and Correctional Facilities

The OPR supports places of detention to improve access to clean water. OPR believes that detainees must be provided with water and food, sufficient in quantity and quality to ensure good health.

Yet the prisons and detention facilities in Mogadishu, Kismayo and Baidoa that OPR inspected have unclean drinking water. Data received by the organization for Prisoners' Rights reveals that the government only provided food for prisoners incarcerated in CID sites; detainees in police stations in Mogadishu do not receive food from the Government. Families of prisoners occasionally brought food for them. It should be noted that although food is provided by the prison it is usually unpalatable, forcing inmates to buy food from such restaurants.

One of the inmates we spoke to told OPR that;

"Prisoners are forced to buy food expensively from restaurants within the prison that are owned by some high-ranking prison officers. A small portion of rice without soup usually costs US\$ 1".

OPR also learnt that of late if prisoners refuse to buy food from the restaurant, they are punished through Solitary Confinement (SC). While in solitary confinement, inmates are undressed, may go up to 5 days without food, or water, and are forced to sleep in a room filled with oil drained from vehicles (as a way of punishing them). Similarly while in solitary confinement, inmates are allowed only a few minutes of sun and they undergo physical beating before they are returned to their holding cells usually when they can hardly walk.

The situation is even grimmer, according to an inmate who shared some of his experiences;

"Initially we were forced to buy food but now we even buy drinking water because we were told that the generator pumping water is broken".

According to another inmate;

"The other day we were told to pay monthly water charges. We responded by telling the authorities we

don't have money; we are a responsibility of the government".

In a chat with one of the inmates, he said;

"My plea to the FGS is to address the situation at this facility, which is managed by Mohamed Qaliif, a prisoner serving a 25-year sentence, and Dahir Abbulle Rage (Baasuuke), a Prison Commander. The FGS must fulfill its duty of caring for its inmates. We are experiencing severe shortages of food and water, and we are responsible for covering all our essential needs. Despite receiving donations, the prison officers confiscated the items as soon as the donors departed. While the International Committee of the Red Cross (ICRC) recently delivered boxes of dates and powdered milk intended for every prisoner, we never actually received these donations. Instead, we were informed that we needed to pay if we wanted to receive the milk and dates".

Minorities in Somalia Prisons and Detention Facilities

Prisoners from minority groups in Somalia encounter substantial difficulties, and the way they are treated in prisons is worrying. A study conducted by the OPR points out that minority individuals in Somalia prisons experience sexual assault, extrajudicial killings, and other infringements of their human rights both inside and outside of correctional facilities.

In Somalia, the formal justice system is viewed as fragile and dysfunctional, lacking national policies and laws to safeguard and uphold the rights of minorities in the prisons. Furthermore, there are no clear support measures in place to positively impact the security and well-being of minority groups and the federal law does not specifically allow prisoners to submit complaints to judicial authorities without censorship.

The judicial system is susceptible to corruption and manipulation by clan-based politics. Both government and local authorities interfere with legal proceedings, including unlawfully detaining individuals from minority communities. Numerous minorities in MCP and MCPC are unjustly held or convicted without proper access to legal processes, representation, and information. Limited access to resources and information also obstructs minorities' ability to seek justice. Furthermore, minorities lack the support provided by traditional clan structures, affecting their political involvement, job prospects, and ability to access justice, they often encounter poverty, discrimination, and marginalization. Many members of minority communities are displaced, with a significant portion residing in IDP settlements in Mogadishu, Puntland, and Somaliland.

A member of a minority group who is incarcerated in MCP informed OPR that;

"He was the individual responsible for constructing the Yakshid District Administration building. Upon completing the project, he did not receive his payment and was later arrested when he insisted on being compensated. Additionally, he mentioned that when he requested to be taken to court by the prison authorities to pursue justice, he was informed that he did not have the right to access the legal system".

Deaths in Prisons and Detention Facilities

The prisons and detention facilities in Somalia are some of the most overcrowded in the world and suffer from insufficient funding. Nationwide, data on mortality rates in jails and pretrial detention facilities is often inaccessible. According to interviews conducted by OPR, ex-offenders revealed that contagious diseases like tuberculosis and cholera, as well as insufficient food

and shootouts between inmates and prison guards, are the main causes of deaths in MCP. OPR has verified 104 deaths in prisons and detention facilities in Mogadishu since the beginning of 2019.

Non-separation of Adult and Juvenile Prisoners

Prisons and detention facilities in Somalia commonly house juveniles alongside adults, and there is often no segregation between pretrial detainees and convicted inmates. The practice of incarcerating juveniles upon the request of families seeking disciplinary measures for their children persists as an issue. To avoid their forced recruitment by AS militants, families from areas under AS's control sometimes send juveniles to detention facilities in Mogadishu. Prison authorities face challenges in separating prisoners according to the nature of their criminal cases. For instance, terrorist suspects are often held and housed together with juvenile and other inmates who have been incarcerated for minor offences.

According to one inmate speaking to OPR, at the MCP prison said;

“There has been a lack of separation between individuals associated with AS and those with less severe offences, particularly after the government's intensified security sweep and anti-AS efforts. Additionally, the inmate mentioned that individuals, who have committed severe crimes, including parricide, are being housed together with juvenile prisoners. This situation has created a high-risk environment where inmates are vulnerable to potential harm or abuse from these dangerous criminals and extremists”.

Another inmate mentioned that when they questioned the prison guards about bringing an older person into their cell, they were told

"This place doesn't belong to you, and you have no authority here. You are a prisoner, just like them".

Gender Sensitivity and Segregation of Male and Female Inmates

Rule 11 (a) of the Nelson Mandela Rules calls for separate institutional facilities for men and women, and states that ‘in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate’.

In many of the jails and detention facilities that have been observed, the cells for male and female detainees are typically separated. However, although the majority of prisoners in Somalia are adult males, female prisoners and detainees often lack separate restrooms and private areas.

Due to overcrowding in the jails, women are sometimes denied access to designated areas or separate cells and may instead be obliged to use temporary spaces such as staff restrooms. There are also reports indicating that male and female inmates sometimes share restroom facilities.

HUMAN RIGHTS IN SOMALIA PRISONS AND DETENTION FACILITIES

In its 2022 report on human rights practices in Somalia, OPR highlighted that security forces were involved in unlawful or arbitrary killings, including extrajudicial killings, torture and cruel, inhuman, or degrading treatment. The report also addressed concerns about political prisoners and detainees, politically motivated disappearances, and serious restrictions on free expression of the press, and the internet, criminal libel laws, unjustified arrests and prosecutions against mass media and journalists. Furthermore, the report emphasized the lack of investigation and responsibility

for violence against women, including sexual violence related to conflict.

Religious Freedom in Somalia's Prisons and Detention Centers

OPR has been actively involved in promoting religious freedom in Somalia's prisons and continues to do so. Religious freedom in Somalia relates to the ability of individuals to freely practice their religious beliefs, considering government policies, non-state actors, and societal attitudes toward religious groups. The enforcement of laws about religion by the various autonomous governments in the region is inconsistent due to the Somali Civil War. OPR has primarily collected information on religious freedom in Somalia and can confirm that prisoners in Somalia's prisons are seldom allowed to pray, read the Koran, and engage in other religious activities permitted by Islam.

In a chat with one of the inmates, he said;

"We are not allowed to learn the Holly Kuran, if one insists, they want to pray, they are punished. If two prisoners want to pray together (Jamee'a) they receive a punishment".

Political Prisoners and Detainees

Government and regional authorities often detain journalists and people who criticize the government, including prominent political opposition figures. The number of political prisoners is not disclosed by the FGS and regional authorities. In such instances, human rights organizations are usually not allowed access to places of detention such as Godka Jilcow Prison and the CID headquarter.

Amid the increasing competition in the federal elections, Abdi Ali Rage, a former advisor to President Farmaajo, expressed his intention to vie for a lower

house seat representing Jubaland Federal State. However, he was arrested in Kismayo by authorities on unspecified charges. He stated that he had been detained by Jubaland authorities and faced threats of being "deported" due to his political affiliation.

The authorities in Somaliland continue to detain Somaliland citizens working for the FGS in Mogadishu, occasionally for long durations. Officials from Somaliland in the federal government are not permitted by Somaliland authorities to represent Somaliland within the federal government, and they consider such actions to be treason, which is punishable under Somaliland law.

AS Controlled Prisons and Courts

AS has set up a series of courts throughout the country, these unauthorized courts deal with a range of conflicts, unlawfully imprison individuals, and frequently issue death sentences to civilians over the phone; they often persecute and sentence civilians without attending the court or having legal representation. AS also prosecutes government officials, law enforcement officers, and ordinary citizens.

AS carries out arbitrary arrests and unlawful detentions, along with the conditions in the prisons they control. When AS conducts prosecutions or punishments, they are often unfair or disproportionate, and individuals may be subjected to prison conditions that do not respect human dignity. These detention facilities have limited space and lack of heating, lighting, proper sleeping arrangements, food, recreational activities, and contact with the outside world.

JUSTICE AND THE RULE OF LAW

Access to Court and Substantive Due Process: Long periods are spent with many people inside bars without

any charges and due process. In addition, detainees are occasionally held for lengthy periods without access to a court and substantive due process. NISA frequently holds detainees for prolonged periods without following due process.

The law provides for the right of persons to challenge the lawfulness of their arrest or detention in court, but only politicians, major clans and some businesspersons can exercise this right effectively.

Confessions obtained through Torture and Forced Coercion: OPR was not able to document the use of confessions gathered through torture or coercion as evidence in court. However, OPR received several credible reports of defendants being mistreated during the pre-trial period, notably during detention in NISA and CID facilities.

OPR spoke with a detainee released from Godka Jilocow Prison, who stated that;

“The NISA officers who detained him after being accused of assaulting an officer had “beaten him and still has a scar on his face, he added after they took him to a room he was beaten with sticks and wires demanding him to confess”.

Arbitrary Arrest and Detention: Although the provisional federal constitution prohibits illegal detention, government security forces, allied militias, and regional authorities arbitrarily arrest and detain persons.

Numerous individuals are being arbitrarily arrested and detained by federal and regional authorities, including those accused of terrorism showing support for AS or opposing the government. Allegations of AS affiliation are frequently used by authorities to justify these arbitrary arrests. Journalists are also frequently subjected to arbitrary arrest and detention by the

government and other authorities. Along with the disappearance of Radio Higsis journalist Mohamed Abdiwahab Nur “Abuja,” several other journalists have been arbitrarily detained and arrested by government authorities on questionable charges, with limited or no access to their families or legal representation. From October 16 to 21 2022, NISA kept Radio Kulmiye journalist Abdullahi Kulmiye Addow in custody after he interviewed a businessman who reportedly criticized the government and expressed pro-AS views. To secure Addow’s release, Radio Kulmiye agreed to suppress parts of the interview.

Arrest Procedures and Treatment of Detainees: The provisional federal constitution provides for arrested persons to be brought before judicial authorities within 48 hours. The law requires warrants based on sufficient evidence and issued by authorized officials for the apprehension of suspects. The law also provides that arrestees receive prompt notification of the charges against them and judicial determinations, prompt access to a lawyer and family members, and other legal protections. Yet adherence to these safeguards is still rare.

The Federal Government makes arrests without warrants. The government sometimes keeps high-profile prisoners associated with AS in unknown houses before officially charging them. The law provides for bail; although citizens are rarely aware of this right or are not allowed, authorities do not always respect this provision, and judicial personnel lack adequate training in criminal procedures. In some cases, security force members, judicial officers, politicians, and clan elders use their influence to have favoured detainees released.

Denial of Fair Public Trial: Article 107 of the Provisional Constitution of the Federal Republic of Somalia stipulates that although judicial proceedings are

ordinarily open to the public, courts have the authority to decide under special circumstances whether hearings should instead be conducted in private. Situations that may warrant this include matters relating to national security, juveniles, rape, ethics or witness protection. Additionally, all parties in a proceeding must first be accorded the opportunity to present their case before a judicial decision can be rendered.

The law provides for an independent judiciary, but the government does not always respect judicial independence and impartiality. The civilian judicial system remains dysfunctional and unevenly developed, particularly outside of urban areas. Some local courts depend on the dominant local clan and associated factions for their authority. The judiciary in most areas relies on a combination of traditional and customary law, sharia (Islamic law), and formal law. The judiciary is subject to influence and corruption and is strongly influenced by clan-based politics. Authorities often do not respect court orders or are not able to enforce the orders. The lack of accountability enables judges to abuse their power. Civilian judges also lack the necessary security to perform their jobs without fear.

Functional courts exist, although there is a serious shortage of trained judges, as well as limited legal documentation upon which to build judicial precedent and widespread allegations of corruption. Somalia's hybrid judicial system incorporates sharia, customary law, and formal law, but they are not well integrated. There is widespread interference in the judicial process, and government officials regularly intervene to influence cases, particularly those involving journalists. International NGOs reported local officials interfered in legal matters and invoked the public order law to detain and incarcerate persons without trial.

Trial Procedures: The law provides for the right to a fair and public trial, but the lack of an independent functioning judiciary means this right is often not enforced. According to the law, individuals have the right to a presumption of innocence. They also have the right to be informed promptly and in detail of the charges against them in a language they understand, although the law is unclear on whether the right to translation applies through all appeals. Detainees have the right to be brought before a competent court within 48 hours of arrest, to communicate with an attorney of their choice (or have one provided at public expense if indigent), and to not be compelled to incriminate themselves. Authorities do not respect most rights relating to trial procedures. Clan politics and corruption often impeded access to a fair trial. The law does not address confronting witnesses, the right to appeal a court's ruling, the provision of sufficient time and facilities to prepare a defence, or the right to present one's evidence and witnesses.

Pre-Trial Process and Overstay: It is common for pre-trial detention to be lengthy, although there are no estimates available regarding the average duration of pre-trial detention or the proportion of the prison population held in pre-trial detention facilities. Trial delays are caused by the high number of detainees, a lack of judges and court administrators, and judicial inefficiency.

The Human Rights Committee of the Federal Parliament of Somalia has expressed strong concerns about the situation of prisoners in MCP. In their deliberations they cited that; many inmates have been incarcerated for years without trial, others were bailed and are not supposed to be in prison, some inmates have served their sentences and are still incarcerated, and some prisoners have been in prison for three years and more for charges as little as \$10.

The committee has proposed to the parliament that the injustices in the central prison should be addressed and if necessary affected prisoners should be released with immediate effect. The committee has also said that there is a racket involved in all this injustice and has also proposed that those involved should be called to answer queries.

The Chief of the Somali Custodial Corps (General Mahad Abdirahman) recently said that “there is a big problem in the MCP and prisoners need access to justice as an initial step”. He mentioned that;

"If you visit the prison facility, you will find a prisoner who has been detained for 10 years and yet has not been sentenced. So, where is the justice? There is no justice. My suggestion is that we (the stakeholders) should give the prisoners priority. Stakeholders should visit the prison facility to witness firsthand the reality there so that proper measures can be taken to address the problems".

Military Courts Indict Civilians: Functional civilian courts exist nationwide, although there is a serious shortage of trained judges, as well as limited legal documentation upon which to build judicial precedent and widespread allegations of corruption.

Defendants in military courts rarely have legal representation or the right to appeal. Authorities sometimes execute those sentenced to death within days of the court’s verdict. Some government officials continue to claim that a 2011 state of emergency decree gave military courts jurisdiction over crimes, including those committed by civilians, in areas from which AS had retreated. There are no clear indications whether this decree remained in effect according to government policy, statements, or actions, although the initial decree was for three months and never formally extended.

The government does not always inform defendants in military courts promptly and in detail of the charges against them and does not always provide access to government-held pieces of evidence. The government does not provide defendants with dedicated facilities and adequate time to prepare a defence. Defendants cannot question witnesses, present witnesses and evidence in their defense, and cannot appeal court verdicts. And there is no functioning formal judicial system in AS-controlled areas.

There are no clear protocols and procedures in place for the transfer of civilian cases in military cases to civilian courts. Cases involving security personnel or individuals accused of terrorism-related crimes are heard by military courts. Civilian courts prosecute only a handful of cases.

SOMALI POLICE FORCE (SPF) AND OTHER SOMALI AUTHORITIES

Apart from Somali prisons, other people arrested and detained by the Police and NISA are kept in the police stations, Godka Jilocow, CID and unknown houses.

Somali Police Force (SPF)

During security sweeps in 2023, the Somali Police Force apprehended 89 individuals. In 2022, SPF arrested 51 people, including 14 AS suspects, 17 journalists, and 20 alleged youth gang members (Ciyaal Weero). In 2021, mainly in Mogadishu, 66 individuals, including 19 AS suspects and 47 youth gang affiliates, were detained during security operations. In 2020, 101 individuals, of whom 39 were AS suspects, were detained. Additionally, in 2019, 89 individuals, most of whom were suspected of being AS members, were apprehended, with 49 subsequently released without charges. During the same period, the SPF detained over 139 boys

suspected of being part of the youth gangs, depriving them of their liberty.

Somali National Intelligence and Security Agency (NISA)

In 2023, NISA conducted frequent extensive security actions targeting AS and criminal groups. NISA was involved in detaining 37 young men suspected of AS and youth gangs activities in 21 incidents throughout the year. Last year, the OPR connected NISA to the unwarranted apprehension and incarceration of 17 people, which included 8 reporters and 9 AS suspects.

Children in the SPF, NISA and AS Custody

Somali parties involved in Somalia's 32-year-long armed conflict have all enlisted children, employing them as fighters, carriers, sources of information, or for checkpoint duty. AS has enlisted numerous children, including some as young as 9, in the past ten years and compelled them to engage in combat.

The mistreatment and challenges experienced by children under the control of AS persist even after they are taken into government custody, whether they surrender, are captured, or are arrested in mass operations. FGS officials use an obsolete and ineffective legal system, as well as legitimate security concerns, as a pretext to primarily treat children accused of association with AS as adults and criminals, instead of acknowledging them as victims of the conflict.

From 2015 onward, numerous boys suspected of joining or supporting AS have been detained by authorities in Somalia. While some boys have been apprehended by government security forces on the battlefield, the majority are captured during security operations in the capital or other cities throughout the country. Following their arrest by the military, police, or intelligence, children are typically transferred to NISA

custody in Mogadishu. Once there, they are detained, occasionally interrogated without access to their relatives, and deprived of legal representation. They are held alongside adult detainees and, at times, incommunicado. These violations of due process have serious implications for their safety and well-being, contravening Somalia's international human rights obligations regarding the protection of children.

The justice system nationwide continues to heavily depend on coerced confessions, even when it comes to children. Young individuals held in intelligence detention facilities in Mogadishu and other urban areas have been forced into giving written or recorded confessions. They have also been subjected to threats and, at times, physical abuse amounting to torture. The government's approach to suspected child involvement with AS is inconsistent.

Government officials have acknowledged detaining boys considered high risk in the past. However, factors such as a boy's economic status, clan affiliation, and external attention to the case also play a role in determining their fate. Many boys are eventually set free without being charged, often due to the intervention of relatives who bribe officials to secure their release. Some children are transferred to child rehabilitation and reintegration centers operated by non-governmental organizations (NGOs), while others are brought to trial in military courts for criminal charges related to membership in AS, murder, or conflict-related offences.

Military Court Prosecutions of Children

According to international human rights law, it is the responsibility of governments to acknowledge the unique circumstances of children who have been recruited or used in armed conflict, including those involved in terrorism-related activities, and to provide

support for their physical and psychological recovery and their reintegration into society. Although children who were part of armed groups can face prosecution for serious offences, alternative approaches should be considered, and legal proceedings should align with international standards for juvenile justice, taking the child's best interests into account.

The focus of sentencing should be on rehabilitation and reintegrating individuals back into society. The UN Committee on the Rights of the Child (CRC), responsible for interpreting the Convention on the Rights of the Child that Somalia adopted in 2015, advises against prosecuting children within the military justice system.

Though the practice of prosecuting and imprisoning children on minor security charges in Somalia is not common, however, children are being brought to trial for AS-related crimes in military courts and often treated as adults. The military courts lack consistency in handling these cases, with basic due process such as the right to present a defence and the prohibition of coerced evidence regularly disregarded. Nearly all instances of children being sentenced by the military court in Mogadishu since 2012 involve charges of AS membership or allegations of providing support to the armed group.

Children detained on security charges in the criminal justice system lack independent oversight. Advocates for international child protection and prisoners' rights in Somalia have minimal access to intelligence facilities, prisons, and military courts. The exact number of children held for AS-related crimes in government custody nationwide is unknown, and there is no organized record-keeping system in place.

The current legal structure that governs situations involving children accused of AS-related offences is, at most, inadequate and sometimes blatantly violates

Somalia's international commitments. Proposed laws and policies, such as a draft anti-terrorism law, pose a risk of simplifying rather than complicating the detention and prosecution of children for AS-related crimes, without providing essential juvenile justice safeguards for children and ensuring consistent access to rehabilitation and reintegration.

The Somali authorities are confronting serious security threats, but their current practices not only go against the best interests of children but could also be detrimental to the fight against AS, further fueling public fears and distrust in the security forces.

A 16-year-old boy, who was detained by NISA for two and a half months in Mogadishu during a mass sweep, expressed;

"You can either get caught up in a bomb attack or a mass sweep by NISA. We always get stopped and questioned. Either way, we face problems. It's like we're constantly in a prison".

AS continues to illegally recruit and deploy children in its conflict against the FGS.

ACHIEVED OUTCOMES VISA VIE THE SET STRATEGIC OBJECTIVES OF OPR

Working in collaboration with corrections authorities and stakeholders

OPR has established a friendly relationship with various stakeholders in Somalia, including Somalia Non-State Actors (SONSA), such as the Somali Youth Development Network (SOYDEN) and the Women and Child Support Organization (WOCSO), as well as the Human Rights Committee. This collaborative effort aims to support the FGS and prison authorities by providing them with strategic policy advice in alignment with the UN Global Focal Point Arrangement on Rule of Law (GFP) and the

Comprehensive Approach to Security (CAS), ultimately aiming to build effective and accountable rule of law institutions. The team of stakeholders working together can bring together personnel from other UN entities (UNDP, UNOPS, and UNODC) and carry out collaborative justice and corrections programs. OPR's strategic guidance combined with operational support from UN agencies, funds, and programs has established an efficient method for providing assistance and reinforcing the rule of law in Somalia.

Human Rights Awareness Seminars, Education and Counseling to Inmates and Prison Staff in Somalia.

After 2022, 393 custodial corps employees, consisting of 262 men and 131 women, received training in various areas such as Bangkok rules (about the treatment of female prisoners), The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), incident management or rehabilitation/human rights, prison duties, advanced and basic medical training. However, it has been reported that inadequately trained guards often struggle to ensure the safety of inmates. Unfortunately, specific information about the overall capacity of the custodial corps was not available within the given time constraints and from the sources consulted.

OPR emphasizes its commitment to developing comprehensive capacity across various fields and specialties, utilizing a variety of approaches such as awareness programs, education, therapy, and dialogues to address the challenges faced by prisoners in Somalia's correctional facilities. OPR believes that creating programs to help prisoners identify the underlying causes of their violent actions is a complex undertaking.

It is more difficult to assist them in creating objectives and identifying and implementing solutions, but it can

be done through religious interventions, education interventions and the development of critical thinking. Psychological therapies that promote the socialization of former offenders Intervention by social workers to provide a clear image of a better future, vocational training to learn the skills needed to secure a job after release. Sports and exercise promote teamwork, trust, and self-fulfilment without the need for violence, while art therapy, such as theatre, allows people to express their feelings. Indeed, OPR is developing an action plan to scale out these operations, beginning with the MCP.

Meeting the needs of Convicts under Prison Laws and Regulations

The Federal Republic of Somalia is committed to upholding and promoting human rights and dignity. This determination reflects a real desire to prevent and combat all types of torture. Somalia also confirms its commitment to international human rights processes and institutions that prohibit torture, the most prominent of which is the CAT. Other specific prohibitions against torture include Article 5 of the UDHR and Article 7 of the ICCPR, which prohibit torture and cruel, inhuman, or degrading treatment.

A significant piece of legislation that has been evaluated is the 1962 Somali Penal Code (Legislative Decree No. 5), which lacks a definition of torture. The government expected to complete a comprehensive review of the Somali Penal Code in 2020, which would include various definitions, including a definition of torture under the UN Convention. New progressive pieces of legislation that are compatible with CAT are also being prepared. To that purpose, the Council of Ministers, under the Ministry of Women and Human Rights Development, introduced the Sexual Offences Bill (SOB) to Parliament in June 2018 and is currently awaiting a first reading.

The SOB is intended to supplement the Somali Penal Code, which in some areas lacks measures addressing sexual violence. New jail facilities in Somaliland and Puntland have been opened with UN Office of Drugs and Crime funding, especially for piracy-related cases, and are expected to meet international standards. Jail staff has received the necessary training and support. In addition to raising awareness of the many requirements of inmates through comprehensive data collecting, OPR has collaborated with other stakeholders to assist the unique needs of detainees, their families, and the authorities in charge of detention facilities. For example, during the COVID-19 pandemic, OPR personnel assisted in delivering face masks and sanitisers to Mogadishu prison inmates.

Support to Address Legal, Emotional or Social Well Being

Prisoner Patients have been inside prisons for a long time. The correctional institutions do not help ex-offenders reintegrate into society, and people with mental health challenges do not receive counselling or psychotherapy after being released from the facilities. When they are discharged, they are not given prescription drugs, and there is no outpatient care, therefore people with psychosocial problems are frequently chained at home.

These violations of human rights are addressed by families and relatives, who are the primary support systems for people with psychosocial disabilities, but they frequently struggle to provide effective support due to a lack of community-support systems such as outpatient medical services and counselling based on free and informed consent. Family members are frequently misinformed, with little knowledge of mental health conditions and what constitutes appropriate treatment and care, and they face severe

societal stigma. For sporadic relief, some people turn to traditional Islamic healers or over-the-counter medications from unregulated and unlicensed pharmacies.

A Fair and Open approach which Respects the Diverse Aftercare of all Convicts

OPR's work in Somalia's correctional institutions involves not only assessing the standard of living and well-being of the inmates but also ensuring that everyone's rights, regardless of diversity, are protected. The majority of OPR's incarceration work focuses on ensuring that persons detained are treated with compassion and dignity during their stay. Furthermore, their family must always be able to contact them, visit them, and be aware of their whereabouts. OPR writes reports, and articles, raises public awareness, collects data, and publishes it on its website and other channels to promote an unbiased, fair, and open process.

OPR in partnership and collaboration with other stakeholders has been visiting people in places of detention in Somalia since 2021. Those visits are made to ensure that detainees benefit from humane and dignified treatment. The visits are carried out in prisons, police stations; NISA detention facilities and CID headquarters. The OPR works to support the unique needs of detainees, their families and the authorities responsible for places of detention. OPR believes that detention poses a unique challenge for all these groups.

Since 2021, OPR, in partnership and coordination with other stakeholders, has been visiting individuals inside Somali correctional facilities. These visits are done to ensure that inmates get decent and respectful treatment. The visits are conducted in jails, police stations, and state security organizations. OPR aims to address the special requirements of inmates, their families, and the authorities in charge of detention

facilities. Furthermore, OPR believes that detention facilities pose a unique challenge for each of these groups.

DISCUSSIONS

According to the US Department of State's assessment of 2022 events, prison and detention facility conditions remain poor and life-threatening throughout the country, with medical treatment and sanitation utterly insufficient in many correctional facilities. It is unknown how many convicts exist nationwide, including female and child prisoners. Overcrowding, inadequate sanitation, and a lack of health care are some of the harsh circumstances in jails and detention facilities across the country. The problems with insufficient hydration, nutrition, illumination, and ventilation persist. It was said that pneumonia and tuberculosis were rampant. Prisoners are reliant on their clans and family members, who frequently pay for their confinement fees demanded by the authorities.

There is still little data on fatality rates in jails and pre-trial detention facilities. Authorities frequently put adults and children together in the same cells. Authorities repeatedly failed to separate pre-trial detainees from convicted felons. The detention of children at the request of parents who want to discipline their children is a continuing issue. Furthermore, several families sent teens from AS-controlled areas to jail to prevent their children from being coerced into joining the organization.

Although the UN acknowledges the distinction between men and women, it condemned the split between adults and children for being inconsistent. The UN also discovered that convicts' living circumstances at MCP fall short of basic international and governmental requirements. For example, officials hold 120 convicts in facilities built to hold no more than 50

people. When it comes to administration, documentation remains poor, and there are no ombudsmen in the prisons. There were few alternatives to detention, even if authorities periodically released nonviolent offenders due to a lack of government resources to hold convicts.

RECOMMENDATIONS

Overcrowding

Prison and Detention Authorities should;

- Addressing and resolving prison congestion should be increased by creating and implementing long-term and efficient strategies to reduce the jail population.
- Create non-custodial measures within the legal system following the UN Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) to enhance the use of alternatives to jail sentences and detention. These acts may consist of;
 - Mandatory rehabilitation for those convicted of certain drug-related offences, such as drug use or drug consumption.
 - For first-time offenders, it is advised to impose fines rather than prison sentences. And minor violations should result in penalties or community service.
 - Address the issue of avoiding pre-trial or remand incarceration for persons charged with specified crimes.
 - Using home detention with electronic monitoring techniques can lessen the risk of evading punishment.
 - Consider early release techniques such as parole and conditional release.

- Minimize pre-trial or remand detention and ensure bail bonds are reasonable and proportionate for the offence.
- Ensure that elderly inmates are given preference when receiving alternatives to incarceration.

Accommodation and Space

The Government must;

- Provide proper ventilation, heating, and cooling systems for cells.
- Prison institutions should provide ample space, clean cells, and climate-appropriate bedding for prisoners.

Punishment, Cruel, Inhumane, or Degrading Treatment

Prison Authorities must;

- Ensure that no discrimination exists and that all inmates are treated with dignity and kindness.
- Ensure that no disciplinary action or other punishment for violating prison rules and codes of conduct constitutes torture or any other form of cruel, inhumane, or degrading treatment or punishment.
- Ensure that solitary confinement is only used as a last resort in extreme circumstances, for the shortest time, and following an independent examination.
- Conduct thorough, unbiased, and independent investigations into all claims of torture and maltreatment, ensuring that perpetrators are punished following existing laws, rules and regulations, and provide victims with the remedies and compensation to which they are entitled.

Food, Water and Sanitation

Authorities should;

- Ensure that access to clean drinking water from a tap or container is constant and available throughout the day and night.
- Make sure there is always enough water available for personal hygiene, and make sure there is a sufficient flow of water going into showers and toilets throughout the day and night.
- Ensure that inmates always have unlimited access to restrooms with the highest level of privacy.
- Make showers more widely available, and allow enough time for each prisoner to take a shower.
- Ensure that the tools and supplies given to convicts who are given cleaning assignments are sufficient and appropriate.
- Boost the overall nutritional value and quality of the food provided to inmates.
- Ensure that all convicts receive food that meets their dietary, spiritual, and cultural requirements.
- Guarantee the quantity, quality, preparation, and serving of food, and that the facility's sanitation meets international standards.
- Ensure that convicts have hygienic eating utensils that are comparable to those that are used outside of jail.
- Ensure that female inmates are given the supplies they require to suit their unique hygienic requirements, including a sufficient supply of gratis sanitary pads.

Healthcare and other Health-related Services

Authorities must;

- Undertake routine inspections with the assistance of medical specialists or qualified public health officials to investigate and address issues that may affect inmates' health.
- Ensure that prisoners who require specialized treatment are transferred to facilities or hospitals outside of jails and that they have immediate access to medical care in emergencies.
- Efforts should be made to identify and meet the health needs of certain populations, such as women, seniors, juveniles, and individuals with disabilities who are incarcerated.
- Ensure that offenders receive adequate psychological and mental care.

Outside World, Recreation Opportunities and Complaints

- The government must make sure that convicts can properly connect with their loved ones, friends, and attorneys regularly through visits, letters, and phone calls.
- Watch out for any unreasonable or illegal intrusions on the privacy of the prisoner during both in-person and virtual visits from their loved ones.
- Ensure that all conversations between detainees and their attorneys are private and discreet.
- Ensure that inmates have consistent access to daily newspapers, magazines, books, and other forms of entertainment, education, and culture.
- Ensure that there are no limitations placed on the kinds of books and other publications that are available for convicts to read and/or consult.
- Ensure that convicts have access to enough leisure and cultural opportunities.

- Ensure that complaints can be made anonymously by convicts and that all complaints are looked into, fully investigated, and effectively addressed.
- Watch out for any actions of retaliation against prisoners by staff members or other inmates in response to grievances they have made.
- Disseminate regular and thorough statistical data on the number of abuse-related complaints lodged against prison officials, the number of investigations completed, and the disciplinary or other actions taken against offenders.

Recommendations to the International Community

The international community should;

- Demand that the FGS develop and put into action sustainable and efficient methods to lower the jail population to boost efforts to address and resolve the issue of overcrowding in prisons.
- Demand that the FGS make improvements to prison conditions that are consistent with the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, in particular with regard to the amount of space allotted per prisoner, sanitation facilities, and the accessibility of adequate healthcare.
- Call on the FGS to uphold agreements, such as allowing an Ombudsman complete access to all jails.
- Offer the required technical assistance to ensure that Somalia's prison conditions adhere to the nation's commitments under international human rights law; and relevant international standards.

