

Imprisonment and Detention Law

Article 1

Imprisonment sentences shall be served in prisons. Any person against whom the competent authorities issue a detention warrant shall be placed in a detention center in accordance with the provisions of this Law and its Implementing Regulations, without prejudice to provisions relating to juveniles.

Article 2

Prisons and detention centers for men and for women shall be established pursuant to a decision by the Minister of Interior, taking into consideration the administrative divisions adopted in the Kingdom. The Implementing Regulations shall set the rules relating to the management, recordkeeping, and security of prisons and detention centers as well as health and safety rules.

Article 3

The General Directorate of Prisons of the Ministry of Interior shall, subject to the Implementing Regulations, supervise the execution of penalties and detention warrants and exercise its powers in the provinces of the Kingdom.

Article 4

- A. The Minister of Interior may issue an order to imprison or detain foreigners in special places or designated sections within prisons and detention centers.
- B. In crimes undermining national security, the President of State Security may:
 - 1. execute imprisonment sentences and detention warrants by a special department where civil and military officials exercise their powers in accordance with rules issued by the President of State Security and the provisions of this Law in cases where such rules are silent; and
 - 2. issue a statement regarding a prisoner or detainee, including his name

and other particulars, whenever the matter is brought before the public or raised in a manner contrary to the facts, in order to achieve public or private interest. The rules referred to in paragraph (1) of this Article shall specify the procedures for the issuance of the statement.

Article 5

Prisons and detention centers shall be subject to judicial, administrative, health, and social inspection, in accordance with the Implementing Regulations.

Article 6

The Minister of Interior shall establish a supreme council to develop prisons and detention centers to achieve their objectives and enhance their capability to rehabilitate convicts and shall provide recommendations on combating delinquency and recidivism and on ways to serve the public interest in this regard.

The Minister of Interior shall select members of said council from various areas of expertise.

Article 7

A person may not be admitted to prison or detention center, nor transferred or released, except pursuant to a written order issued by the competent authority. A prisoner or detainee may not be held in a prison or detention center beyond the period specified in his detention warrant.

The Implementing Regulations shall specify the procedures for admitting prisoners and detainees and documenting their admission, transfer, and release in special registers.

Article 8

Each prisoner or detainee shall be searched before admission to the prison or detention center; any money or valuable items shall be stored in the prison or

detention center and shall be returned to him upon his release or collected by any person he designates.

Article 9

Any item a prisoner or detainee conceals or refuses to deliver or any item smuggled to him shall be confiscated.

Article 10

The Implementing Regulations shall set rules for classifying prisoners based on the type, frequency, and gravity of crimes, prison terms, and the feasibility of rehabilitation.

Article 11

In case of a prison sentence of more than four years, the prisoner shall, prior to his release, be subject to a transitional period aimed at reintegration into society; such period shall be counted towards his prison term. The Implementing Regulations shall specify the duration of said period and the manner in which the prisoner is treated, provided that restrictions and privileges are gradually relaxed and accorded.

Article 12

The Implementing Regulations shall determine the rules for visitation and correspondence of prisoners and detainees as well as the rules for the treatment of detainees, obtaining food at their own expense, wearing their own clothes, and any other prescribed rights and privileges.

The Minister of Interior may decide to grant all or some of the privileges prescribed for detainees to prisoners sentenced to terms not exceeding one year for committing non-violent crimes.

Article 13

A pregnant prisoner or detainee shall receive proper treatment, especially

regarding food and work starting from the onset of pregnancy until 40 days following delivery, as specified in the Implementing Regulations.

Article 14

A pregnant prisoner or detainee shall be transferred to hospital when she is due and shall remain there until discharged by the physician after the delivery.

Article 15

A prisoner or detainee shall have the right to keep her child until he reaches the age of two. If the mother does not wish to keep the child or if he reaches said age, he shall be delivered to his father or legal guardian.

If the child has no father or kin willing to take care of him, he shall be placed in a childcare institution and the mother shall be notified of said institution.

Article 16

Employment of prisoners and detainees shall be pursuant to rules set by the Ministry of Interior in coordination with the Ministry of Labor and Social Affairs.

Article 17

Prisons and detention centers shall enable Muslim prisoners or detainees to perform their religious duties and provide them with the necessary means.

Each prison or detention center shall be assigned one or more preachers specialized in dawah and guidance to educate prisoners and detainees on the virtues of observing Islamic values and religious duties.

Each prison or detention center shall also be assigned one or more specialists in psychology and sociology, as specified by the Implementing Regulations.

Article 18

The Ministry of Interior shall, in agreement with agencies in charge of

education and guidance, design curricula and awareness-raising programs for prisons and detention centers.

The Implementing Regulations shall determine the rules and procedures for conducting examinations for prisoners and detainees at the various educational levels.

Each prison or detention center shall have a library which includes books on religion, science, and morality for the benefit of prisoners and detainees and proper utilization of their time.

Prisoners or detainees may bring in books, newspapers, or tape recorders at their own expense, as determined by the Implementing Regulations.

Article 19

The Ministry of Interior shall, in coordination with relevant agencies, set social service programs for prisons and detention centers, as well as for families of prisoners and detainees.

Article 20

A prisoner or detainee who disturbs the order in a prison or detention center shall be subject to the following penalties:

1. Solitary confinement for a period not exceeding 15 days.
2. Deprivation of all or some of the privileges of visitation and communication as well as other privileges specified by the Implementing Regulations.

If a prisoner or detainee repeats a violation or continues to disturb the order in a manner that poses a threat, the matter shall be referred to the governor to take appropriate measures in accordance with the Implementing Regulations.

In this case, the period of solitary confinement may be doubled and the prisoner or detainee may be deprived of the privileges of visitation and communication, and other privileges prescribed by the Implementing Regulations. The prisoner or detainee may be denied the parole stated in Article 25 of this Law. The

penalties imposed on the prisoner shall be recorded in a special register. The Implementing Regulations shall determine jurisdiction rules regarding the imposition of penalties.

The prison director may order the prisoner or detainee to be handcuffed for a period not exceeding 72 hours if he exhibits rage or commits assault.

Article 21

Administrative procedures may not prevent the release of a prisoner or detainee on the release date.

Article 22

The Implementing Regulations shall specify social and health care rules for prisoners and detainees as well as medical treatment within and outside prisons and detention centers, and shall determine work exemption conditions.

The Implementing Regulations shall set rules for the release of prisoners due to life-threatening diseases or total disability, provided that the released person is periodically examined to determine whether or not he can serve the remainder of his sentence.

Article 23

If a prisoner or detainee dies, a detailed medical report shall be issued. The prison director shall submit such report to the competent authority and notify his kin to receive the corpse; however, the corpse may not be transferred in case of an infectious disease or if such transfer poses a threat to public health. If no one claims the corpse within the specified period, the deceased shall be buried in a nearby graveyard.

Article 24

A prisoner or detainee shall be released before noon on the day following the release date, or on the time specified by the pardon decision if a pardon for the

crime or punishment or part thereof is granted.

Article 25

A. The Minister of Interior may decide to release on parole any convict who has served three quarters of his sentence and has demonstrated good behavior while in prison, unless his release poses a threat to public order.

The convict must, in order to be released on parole, serve at least nine months of his prison term and fulfill all financial obligations resulting from the crime for which he is sentenced.

The parole decision shall specify the conditions imposed on the parolee, in terms of residence, work, and good conduct and behavior.

In case of established misconduct, the Minister of Interior may order his return to prison to serve the remainder of his sentence.

B. The Minister of Interior may, subject to rules determined by the Regulations, grant a reduction of 15% of the imprisonment term of a prisoner who has completed educational or vocational training programs in prison if he demonstrates good behavior and his release does not pose a threat to public order.

Article 26

The period a detainee spends in a detention center shall be counted towards his sentence.

Article 27

Officials of prisons and detention centers may as a last resort use firearms to:

1. repel an attack or physical resistance; or
2. prevent escape.

To thwart an assault, resistance, or escape, warning shots shall first be fired into the air, and if this fails to deter the prisoners or detainees, shots may be fired at

their legs or arms.

Article 28

Prisoners or detainees may not be assaulted in any manner. Disciplinary measures shall be taken against civil or military officials who assault prisoners or detainees, without prejudice to the imposition of penalties if such assault constitutes a crime.

Article 29

Without prejudice to any harsher penalty stipulated in any other law, imprisonment for a period not exceeding five years shall be imposed on a person who:

1. smuggles or attempts to smuggle into prison or detention center weapons or objects that could be used to undermine security;
2. smuggles or attempts to smuggle into prison or detention center narcotics or substances prohibited under the law or regulations; or
3. facilitates the escape or the attempted escape of a prisoner or detainee.

If the perpetrator of such acts is an employee of the prison or detention center, or an assigned guard thereof, he shall be subject to imprisonment for a period not exceeding ten years.

Article 30

The Minister of Interior shall issue the implementing regulations of this Law.

Article 31

This Law shall enter into force on the date of its publication in the Official Gazette.