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Women

IMPRISONMENT OF WOMEN AND GIRLS

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Over the last 50 years, an estimated 10,000 Palestinian women have been arrested and/or detained under Israeli military orders. Palestinian women are exposed to imprisonment like other groups and sectors within the Palestinian society. In 2015, occupation forces arrested 106 Palestinian women and girls, representing an increase by 70% compared with the number of women and girls arrested in 2013, which reached at its maximum to 34 prisoners and detainees in October 2015. During October 2015, a popular uprising started in the occupied Palestinian territory in response to the Israeli occupation's widespread human rights violations and escalation at Al-Aqsa Mosque as well as the ever-growing settlement activity and complete impunity to crimes by settlers, the latest of which was the arson and murder of the Dawabsheh family in Duma, Nablus. In response to the recent events, Israeli occupation forces (IOF) intensified human rights violations against Palestinians including mass arrests, leading to a significant rise in the number of Palestinians women and girls held in Israeli detention. Among those arrested were 13 underage girls, some of them were wounded at the time of their arrest. In 2016, the Israeli military commander of the West Bank issued administrative detention orders against three women: Su'ad Izreiqat from Hebron, who was released in June 2016, Sana' Abu Sneineh from Hebron, and who was released in August 2016. The year 2017 ended with 58 Palestinian women in detention including minor detainees. Currently, there are 52 women in detention including only one minor female, though all of these female detainees are now located in al-Demon prison which used to be a stable before.

Palestinian women are usually held mainly in Hasharon and Damon prisons. **Both of these prisons are located outside the 1967 occupied territory, in direct contravention of Article 76 of the Fourth Geneva Convention, which states that an Occupying Power must detain residents of occupied territory in prisons inside the occupied territory.**

In addition to the illegality of Israel's practices under international law, the practical consequence of this system is that many prisoners have difficulty meeting with Palestinian defense counsel, and do not receive family visits as their attorneys and relatives are denied permits to visit on "security grounds". Moreover, both Hasharon and Damon prisons lack a gender-sensitive approach and, as such, women prisoners often suffer from harsh imprisonment conditions including medical negligence, denial of education, denial of family visits, including for mothers with young children, solitary

confinement, overcrowded cells which are often filled with insects and dirt, and lack natural light. Personal health and hygiene needs are rarely addressed by prisons authorities, even in cases involving the detention of pregnant women.

Moreover, the majority of Palestinian women prisoners are subjected to some form of psychological torture and ill-treatment throughout the process of their arrest and detention, including various forms of sexual violence that occur such as beatings, insults, threats, body searches, and sexually explicit harassment. Upon arrest, women detainees are not informed where they are being taken and are rarely explained their rights during interrogation. These techniques of torture and ill-treatment are used not only as means to intimidate Palestinian women detainees but also as tools to humiliate Palestinian women and coerce them into giving confessions. While Israel's prison authorities and military forces recruit women soldiers to detain and accompany women prisoners during transfers, the female soldiers responsible for these procedures are no less violent towards Palestinian detainees than their male counterparts. In January 2010, Breaking the Silence, an Israeli NGO which collects anonymous testimonies from Israel's occupation forces in the West Bank and the Gaza Strip, released a 122-page booklet documenting the increasing levels of violence inflicted upon Palestinians by Israeli women soldiers. The testimonies compiled in the study reveal that the Israeli women soldiers deploy violent methods of control against Palestinian men and women in an effort to seek respect and recognition from male soldiers and their superiors.

Number of women held in Israeli prisons since January 2011 until December 2017

Addameer data indicates that by October 2018, there were 52 women and girls in the prisons of the occupation state.

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
2018	59	61	62	63	63	60	63	65	53	52		
2017	53	-	-	61	56	52	62	65	64	58	59	58
2016	55	60	68	70	70	62	62	56	-	64	-	-
2015	22	22	22	25	25	26	26	25	25	41	40	60
2014	17	17	21	20	17	X	17	19	18	19	18	23
2013	10	12	12	14	17	15	12	13	12	15	14	16
2012	8	5	5	6	7	6	6	6	7	9	10	11
2011	40	37	37	36	38	36	35	33	33	10	10	6

CONTINUOUS VIOLATIONS OF PALESTINIAN WOMEN PRISONER'S BASIC RIGHTS: UNLAWFUL CONDITIONS UNDER ISRAELI DETENTION

While Israeli detention conditions vary from prison to prison, in no case do they meet women's needs or international legal standards. Currently, Neve Terza Prison in Ramleh is the only specialized women's prison facility in all of Israel. Many women have been detained there since the wave of arrests that accompanied events following the beginning of the Second Intifada in September 2000, in a special section designated for what Israel classifies as "security prisoners". One of the many effects of being classified as a 'security prisoner' is that Palestinian women political prisoners under this classification are sometimes placed in the same cells as Israeli women criminal offenders who take it

upon themselves to threaten, assault and humiliate them through various forms of verbal and physical abuse. In addition, Palestinian women detainees are also discriminated against in the facility; enjoying less or at times, no recreation time, and living in dorms without access to books, newspapers or other media. Neve Terza also holds Palestinian women kept in isolation and for short-term detentions during transfers. Other women detainees are imprisoned in old jails that date back to the British Mandate period (1922-1948) and lack modern day infrastructure. These facilities, designed for and by men, consequently rarely meet the gender-specific needs of women prisoners.

Since the Vienna Declaration on Crime and Justice in 2000, which focused in part on the special needs of women as criminal justice personnel, victims, offenders and prisoners, many studies have shown that **women's needs in prison deserve special attention from the United Nations, policy-makers, and practitioners**. Among the set of needs specific to women prisoners, issues pertaining to health care require urgent attention, a right strategically denied by Israeli Prison Service (IPS).

The IPS has adopted a systematic policy of medical negligence regarding Palestinian prisoners held in its prisons and detention centers. In addition to medical negligence, the denial of cultural and gender sensitive medical treatment has acutely affected women prisoners health conditions pre and post-release. A study conducted by Addameer in September 2008 revealed that approximately 38% of Palestinian female prisoners suffer from treatable diseases that go untreated. The poor quality of food and lack of essential nutrients cause women detainees to suffer from weight loss, general weakness, anaemia and iron deficiency. They are also exposed to harsh treatment (such as routine practices of physical and psychological punishment and humiliation) from both male and female prison guards, who demonstrate little to no regard for their well-being or special needs, even when ill or pregnant.

Harsh imprisonment conditions such as lack of fresh air and sunlight, moisture in the winter and heat in the summer, dirty overcrowded cells which are infested with insects, combined with stress, poor diet and isolation from families contribute to frequent menstruation perturbations. Many women also suffer from rheumatism and dermatological problems due to the moisture infiltrating their cells in the winter. In the summer, poor ventilation, lack of fresh air and the prevalence of cockroaches and other bugs also contribute to skin diseases. Despite requests made by women prisoners, the prison authorities have repeatedly refused to provide them with cleaning products.

Palestinian women prisoners suffering from treatable diseases such as asthma, diabetes, kidney and eye diseases, sickle cell anaemia, cancer, and seizures have little to no access to medical services. Long delays in providing substandard medical treatment are typical. Although all prisons include a medical clinic, physicians are on duty irregularly and specialized medical healthcare is generally unavailable. To date, there are no specialized gynecological services available for Palestinian women held in Israeli prisons and detention centers, despite their continuous requests for access to such services and complaints launched against the IPS's repeated denials. Of particular concern is the absence of trained Arabic-speaking female medical specialists. The denial of gender-sensitive social services, in addition to culturally and religiously sensitive treatment, place women who are suffering from health concerns in an extremely vulnerable and uncomfortable position. For instance, when women prisoners require hospitalization in Israeli institutions, the gynecological care that is provided is often culturally insensitive, causing them further stress. This form of discrimination is compounded by the denial of other forms of culturally and religiously sensitive social services and professionals. The effects of this discriminatory treatment amount to violations of Palestinian women's human rights and, accordingly, often lead to conditions of post-traumatic stress disorder and depression.

DENIAL OF RIGHTS TO PREGNANT WOMEN PRISONERS PRE AND POST-DELIVERY

Pregnant Palestinian women have not escaped the mass arrests of Palestinian civilians under Israel's unlawful occupation regime. Between 2003 -2008, Addameer documented four cases of Palestinian women detainees who were forced to give birth while held in Israeli prisons; all of whom received very limited to no pre- and post-natal care.

As the incarceration of pregnant women poses a high risk not only to the woman herself but also, to the birth outcomes, posterior growth, and development of the newborn, their cases are of utmost concern. Pregnant women in Israeli prisons and detention centers do not enjoy any preferential treatment in terms of diet, living space or transfers to hospitals.

Pregnant detainees who are transferred to hospitals to give birth are moved only under strict security supervision, with the woman's hands and feet typically shackled with metal chains. The women are then chained to their beds until they enter the delivery room and are shackled once again only minutes after delivery.

Article 12 of the Convention to End all Discrimination Against Women, ratified by Israel on 3 October 1981, stipulates that "States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation".

STRIP AND BODY SEARCHES: ISRAELI STATE PRACTICES OF SEXUAL TORTURE

A frequent complaint expressed by many Palestinian women political prisoners is Israel's routine and systematic practice of strip and body searching, a process by which almost all of their clothing is forcibly removed by Israeli soldiers, sometimes including their undergarments. During strip searches, female prisoners are often asked to squat while naked and are frequently subjected to intrusive internal body searches. Those who refuse to comply with these practices are often sent to isolation cells. These searches often occur during transfers to court hearings, and can sometimes take place in the middle of the night as a punitive measure. According to Dr. Mahmoud Saiwail, the director of a treatment and rehabilitation center for victims of torture in Ramallah, strip searches of women prisoners can even amount to torture in certain circumstances.

Sexual harassment of Palestinian women prisoners also occurs through threats of rape (including threats of rape of their family members) and sexually degrading insults made by prison personnel. These occurrences are a fundamental part of Palestinian women's prison experience and should be understood as a common and systematic form of racial and gender-based State violence. Research has shown that Israel's prison authorities deliberately exploit Palestinian women's fears by playing on patriarchal norms as well as gender stereotypes within particular customs of Palestinian society. Accordingly, occurrences of sexual assault are a sensitive issue for Palestinian women and their families, making post-assault resources difficult to obtain. Israel's routine practice of strip and body searching women prisoners as a method of punishment violates its obligations under both international human rights and humanitarian law, including the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the International Covenant on Civil and Political Rights, which states in Article 7 that: "No one shall be subjected to torture or to cruel,

inhuman or degrading treatment or punishment...". Similarly, Article 3(1)(c) of the Fourth Geneva Convention (1949) forbids "outrages upon personal dignity, in particular, humiliating and degrading treatment".

Deterrent Sentences against Women Prisoners

Palestinian women prisoners are denied their right to a fair trial as witnessed with unjust, deterrent sentences against them in 2016. High sentences are an integral part of the Israeli policy of oppression, revenge, and mass punishment aiming to terrorize Palestinian women and deter them from participating in the resistance movement. The Israeli Central Court in Jerusalem sentenced the injured minor girl Nourhan Ibraheem Awwad, 17, from Qalandia refugee camp north of Jerusalem, to 13.5 years of actual jail time and an NIS30,000 fine following her conviction of an alleged stabbing attack a year earlier. The same court sentenced minor Marah Bakir, 17, from Jerusalem to 8 years in prison.

The Central Court in Jerusalem also sentenced prisoner Israa' Riyad Ja'abis, 32, from Jerusalem, to 11 years after charging her with attempted murder following the explosion of a gas cylinder in her car near a military checkpoint that left her with first degree burns. Meanwhile, Ofer military court sentenced prisoner Maysoon Mousa, 22, from Bethlehem to 15 years of actual jail time. Mousa was arrested in June 2015 and charged with stabbing a soldier.

Relevant Addameer Publications:

- ["In Need of Protection" Palestinian Female Prisoners in Israeli Detention](#), November 2008

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- (1) Convention (IV) Relative to the Protection of Civilian Persons in Times of War, Geneva, 12 August 1949
 - (2) Breaking the Silence. 31 January 2010
(available at: http://www.shovrimshatika.org/news_item_e.asp?id=32)
 - (3) Nahla Abdo, "Palestinian Munadelat: Between Western Representation and Live Reality," in Thinking Palesine, ed. Ronit Lentin, Zed Books, New York, 2008
 - (4) Peace Women, "Israel and the Occupied Territories, Conflict, Occupation and Patriarchy: Women Carry the Burden", 31 March 2005 (available at: <http://www.peacewomen.org/resources/OPT/Womencarryburden.html>)
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