

## Fact Sheet: Families and Family Visits

October 2014

Over 6,000 Palestinian political prisoners are currently being held in Israeli prisons and are often denied their basic human rights. One of the many rights they have been denied is their right to communicate with their families and receive regular visits. Imprisonment causes a huge amount of suffering and hardship, not only for those denied of their liberty, but for their relatives on the outside. Whole families and generations have grown up with no mother or father or brother or sister. The Israeli policy of mass detention and imprisonment has been devastating for Palestinian society, with families of prisoners being the silent victims.

Family visits are routinely, and often arbitrarily, restricted or cancelled by the Israeli authorities. Moreover, many Palestinians prisoners from 1948 Territories, the West Bank and Gaza are denied their visitation rights completely. This is in complete contradiction with Israel's responsibility, as the Occupying Power, under international law. The right to family visits is an entrenched right in international law, expressly provided for in the Fourth Geneva Convention, the Standard Minimum Rules for the Treatment of Prisoners, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, the European Prison Rules, and, in relation to child detainees, the Convention on the Rights of the Child.

Israel detains Palestinians from the occupied Palestinian territory in detention centers and prisons outside 1967 occupied territory. This practice is illegal under international law and poses significant challenges to Palestinian prisoners' ability to receive family visits as they must acquire permits to enter Israel in order to visit their relatives in prison. In many cases these permits are extremely difficult to obtain, while in many others cases they are impossible to obtain. Israel always gives the same reason for not issuing permits - 'security' - but never defines what this means.

When family visits are able to take place, severe restrictions are placed on them by the Israeli Prison Service (IPS). Only first-degree relatives may visit, but any male family member aged between 16 and 35 is typically prevented from visiting. Once at the prison, family members can only expect to communicate with their loved ones from behind glass separation walls or by telephone.



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For Palestinian prisoners from Gaza, the situation is particularly dire: prior to 2007, they were permitted family visits, but following the 2006 Palestinian election results and the capture of the Israeli soldier Gilad Shalit, Israel denied residents of Gaza held in Israeli prisons family visits due to “unspecified security reasons”, a measure that can be understood as collective punishment of the Gaza population. On 9 December 2009, the Israeli High Court of Justice rejected an appeal contesting the policy’s legality.

During the Palestinian prisoners’ mass hunger strike in April 2012, one main demand of the prisoners was to reinstate family visits to Gaza prisoners. Though Israel agreed to resume the visits upon the conclusion of the hunger strike, as of June 2014, these visits have taken place every two months, as opposed to every two weeks for prisoners from the West Bank, Jerusalem and 1948 Territories. More recently, during the war on Gaza which commenced in July 2014 all family visits were banned for prisoners from Gaza and as of October 2014 these bans remain in place. The same applied for prisoners from the West Bank affiliated to Hamas, Islamic Jihad and the Popular Front for the Liberation of Palestine who were banned family visits during the war on Gaza. For these prisoners family visits have now resumed but are only taking place every two months instead of every two weeks as required under international law.

### Process of Family Visit

Until the outbreak of the Al-Aqsa Intifada in September 2000, family visits to Palestinian detainees held in Israeli prisons were regular and took place largely without interruptions. However, following the Israeli re-invasion of the West Bank and as a result of imposed movement restrictions, all Palestinian families from the occupied territory who wish to visit a family member detained in Israel – with the exception of Jerusalem ID holders – must receive an entry permit into Israel.

The application process is lengthy and can take between one and three months, while the permit itself is valid for only one year. The application is submitted via the International Committee of the Red Cross (ICRC) and then transferred to the Israeli authorities. Visits are restricted to first degree relatives – children, spouses, parents, siblings and grandparents only, thus isolating the detainee from his or her social and professional environment. As mentioned, men between the ages of 16 and 35 are typically prevented from visiting prison and receive special permits only once a year if they are the brother of the detainee



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and biannually if they are the son of the detainee. In practice, however, hundreds of families fail to receive permits at all, based on “security grounds”. The reason for the rejection of a permit application is never given apart from the standard phrase: “forbidden entry into Israel for security reasons.”

When family visits are allowed, they take place once every two weeks for 45 minutes. In the visiting room, a glass window separates the visitor and the prisoner. Communication takes place through a telephone or through holes in the glass. For every prisoner, only three adults and two minors are allowed to visit at the same time.

### Case Study: The Sa’adat Family

Popular Front for the Liberation of Palestine (PFLP) Secretary General Ahmad Sa’adat (61) was arrested by Israel on 14 March 2006 when he was taken from the Palestinian Authority’s Jericho prison in a raid by Israeli Occupying Forces. Two years later, he was sentenced to 30 years. Ahmed is married to Abla (58) and have four children: Ghassan (32), Ibaa (29), Sumoud (28) and Yaser (23).



Two members of the family, Alba and Ghassan, are Jerusalem ID holders, while the remainder of the family are West Bank ID holders. The practical implications of this means they have to apply for a permit to enter 1948 Territories to visit their father in prison. However, holding a Jerusalem ID does not automatically entitle a person to visit as it is left to the discretion of the Israeli authorities. This has been the experience of Ahmed’s wife Alba who, since 2008, has been regularly denied visits to her husband. A recent example of this occurred in March 2014, when she arrived at the prison only to be told by prison officials that she is banned from visiting. In fact, on 14 September 2014, Ahmad was given a three month ban on family visits.

West Bank ID holders Ibaa and Yaser have visited their father only once since the beginning of his imprisonment in 2006, as all other attempts to visit their father have been denied on ‘security’ grounds, although the Israeli authorities never give any further explanation. Another daughter Sumoud has never visited her father in prison, again based on undefined ‘security’ grounds.

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In March 2008, Sa'adat received an order to be placed in isolation for six months, which was subsequently renewed every six months for over three years. During this time no family member was allowed to visit.

When visits are allowed they are extremely difficult due to the Israeli procedures involved. For example, family members with West Bank ID holders are picked up in ICRC buses at 6.00AM in Ramallah. Before entering 1948 Territories they must pass through Beit Seira' checkpoint, where they wait for about two hours. During this time family members must undergo electronic and physical searches. Once they arrive at the prison they must pass through more security checks, electronic and physical checks by prison guards. It is common for families to wait for up to five hours before they can actually enter the prison. Once they enter they must wait for usually 45 minutes in the waiting room, which have no restrooms or drinking water.



When the visit actually begins the family must communicate through a glass divider, using a telephone. The phones are usually damaged and therefore the quality of the sound is not good. It is also not unusual for the guards to delay bringing Ahmed to the visiting room which limits the time the family have to see him.

The absence of Ahmed has caused great hardship for the family, particularly for his wife Abla as she must play the role of both mother and father. For the family occasions of celebration, like birthdays and weddings, are particularly difficult and there is always an increased sense of sadness and loss.

### **Denial of Family Visits as Collective Punishment: The Impact of Palestinian Women's Detention on the Family**

The conditions of arrest and detention of Palestinian women political prisoners impact women individually and also serve as a form of collective punishment against their entire family. Consider, for instance, the case-study of Qahira Saeed As-Saadi. After arresting two other members of the As-Saadi family the previous day, Israeli Occupying Forces returned on 8 May 2002 to arrest Qahira. After having experienced the trauma of witnessing their two uncles detained, Qahira's four children were again forced to watch as their mother was assaulted and detained by Israeli troops. All too often, such incidents of violence during arrest have an enormous psychological impact on the children who witness them.

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After being brought to the Al Moskobiyyeh interrogation centre in Jerusalem, Qahira was subjected to further physical and psychological torture, including bodily and verbal abuse. Of particular concern, Qahira was told that her 10 and 16-year-old daughters had also been arrested and would be raped unless Qahira complied with the prison authorities' demands. Qahira's children were prevented from visiting their mother for the first two years of her imprisonment. Her oldest daughter was repeatedly denied a permit to visit on "security grounds". The children were allowed to spend only half an hour with their mother even though the entire trip to the prison and back takes them around ten hours because of extreme delays caused by continual baggage and body searches. During the visit, the children were separated from their mother by a glass divider and could not touch her; instead, they were forced to speak to their mother through telephones.

In addition to the impact of inadequate family contact on the children of women prisoners, such conditions have compounding effects on the psychological and physical wellbeing of women in prison. Research has shown that the prohibition of family visits for women in prison often leads to conditions of anxiety and depression and exacerbate feelings of isolation. While visits to Palestinian prisoners are currently permitted twice a month in theory, prisoners and family members are subjected to many restrictions stemming from Israel's practice of detaining Palestinian prisoners outside 1967 occupied territory, in violation of Article 76 of the Fourth Geneva Convention (1949), which explicitly prohibits "individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power".

The maintenance of ties between family members is overly dependent on the Israeli permit system, which imposes huge restrictions on the Palestinian population – especially males – aged between 16 and 45, whose right to visit are denied on a regular basis. As demonstrated in the case of Qahira and her family, the restrictions on visitation rights not only violate the United Nations Standards Minimum Rules for the Treatment of Prisoners but have lasting and compounding effects on the entire family.

### International Law on Family Visits

Israel constantly breaches international law by continuously denying prisoners from receiving family visits. Prisoners' right of receiving family visits and having proper communication with their families is deeply rooted in international law. It was clearly defined in Article 116 of the Fourth Geneva Convention (1949) that internees are entitled to the right of receiving family visits on a frequent basis and at 'regular intervals.' The Standard Minimum Rules for the Treatment of Prisoners (1977) also states in Articles 37 & 92 that prisoners have the right to communicate with their families and 'reputable friends' through correspondence and by receiving visits. The right of prisoners to receive family visits is further emphasized in the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (1988) which states that prisoners and detainees should be given the right to be visited by their

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families under 'reasonable conditions & restrictions.' International law also stresses the rights of minors to receive family visits in the UN Rules for the Protection of Juveniles Deprived of their Liberty (1990). Articles 59 & 60 clearly define minors rights in communicating with the 'wider community,' and receiving family visits on a regular and a frequent basis, ideally once a week or at least once a month.

### Case Study: The Sayyad Family

*"Don't cry because I love you and I am always here for you."*

Upon her arrest on 22 November 2012, Entesar Sayyad, (38), was separated from her four children, causing great hardship to her and her children. Following her arrest, Entesar was held in and transferred between several prisons. She was first held in Al-Moskobiyya, a notorious detention center in Jerusalem, for thirteen days before being transferred to Neve Titzra women's prison in Ramleh where she remained for one month. On 20 of January 2013 she was finally transferred to HaSharon prison. Before being sentenced her family was only able to see her from a distance at the court hearings; and they were only able to visit her three months after her initial arrest.



Like other families Entesar's family faces great hardships during visits to the prison. Her children are only allowed to visit her twice a month, for 45 minutes. According to her youngest son, Ibrahim, "going to visit is very exhausting and tiring because of the long distances [they have to travel]." Her daughter, Dania, insists on visiting her mother despite the motion sickness she has to endure on the way to the prison. Upon their arrival to the prison, her children are forced to wait for long hours until they are finally allowed to see their mother, due to the fact that female prisoners' visits take place only after the minors and male prisoners' visits are over. The children are searched twice before they are allowed into the visitation room. Yet, the children feel that the hardest part about the visits is that they are not allowed to have any physical contact with their mother, and instead are forced to communicate through glass barriers. Entesar's daughter, Malak, adds "I cannot hug or even touch my mother due to the glass barrier between us."



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Entesar herself finds it very difficult to see her children through the glass barrier only, as she really wishes she can hold her children in her arms. She tries to remain strong in front of them but cries after each visit. She plans ahead what she wants to tell them, yet forgets all the words when she sees them. Her son Ibrahim (12) recalls that during their first visit to their mother she looked pale and started crying when she saw them. Attempting to make his mother feel better, Ibrahim told her, “Don’t cry because I love you and I am always here for you.” Entesar and her children also find it difficult to exchange letters as they don’t get delivered after a long time or don’t get delivered at all.

Entesar’s imprisonment has had a severe impact on the children, emotionally, and particularly with their education. The children are constantly missing their mother’s presence around them; her daughter Malak found her graduation very painful without her mother being there, while all of her classmates’ mothers were in attendance. Not only are they

emotionally impacted, but their school-work has been affected by their mother’s imprisonment and the family visits. Following his mothers’ arrest and imprisonment, Ibrahim’s academic performance was affected, leading his father to hire a private tutor to help him. And since Monday is the only day they are allowed to visit their mother in prison, they have to skip a school day every two weeks. Yet, the children continue to be hopeful, stating that they are very proud of their mother, and are waiting impatiently for her release.



On 9 June 2014 Entesar was released from prison and reunited with her family.

### Reintegration into Society and Life After Prison

Social reintegration of prisoners includes rehabilitation during and after imprisonment by ensuring access to Palestinian-administered social services, as well as immediate and long-term post-release support. The issue of reintegration of Palestinian prisoners is unique in the sense that it is affected by two authorities that are in conflict with one another in the midst of an unequal distribution of power, where one authority is occupied by the other. Although the UN Minimum Standard Rules for the Treatment of Prisoners recommend that “necessary steps be taken to ensure for the prisoner a gradual return to life in society” through a pre-release programme, Israel denies such services to Palestinian prisoners.

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Moreover, a number of the key issues that affect a prisoner's life after release and inadvertently determine the success of his/her rehabilitation process are controlled by Israeli authorities, including the quality of prison conditions and safety in prison, which can have lasting effects on a prisoner's mental and physical health, access to education resources, adequate contact with the outside world, specialist medical care and nutritional support. These issues, among others, are explicitly a matter of Israeli responsibility, and Israeli authorities largely fail to provide for these rights.

It is important to note however that these rights and services must be administered only by Palestinians; as such, the Israeli authorities and the IPS must grant full, unhindered access to Palestinian programs and service providers in this regard. Israel's failure to provide full access to these rights and services undermines the process of creating a long-term post-release strategy for Palestinian prisoners.

Interviews conducted with former Palestinian women prisoners by both Addameer and the Palestinian Counseling Center (PCC) revealed that these women are in great need of psychological support especially in the first weeks and months following their release. The lack of services and support mechanisms during their prison experience and upon their release, combined with the overwhelming initial media interest, only exacerbates ex-prisoners' feelings of disappointment and isolation, which can often lead to an increase in mental health concerns.

The transition from life in prison to life outside is therefore even more problematic. At a workshop held by the PCC on 16 August 2008 in Ramallah to assess former women prisoners' needs, a call for psycho-social support was reiterated by many participants. Former Palestinian women prisoners affirmed at the workshop that a holistic approach to pre- and post-release programs needs to be developed in order to include their families in support schemes.

Some of the initiatives provided by the Ex-Detainees Rehabilitation Programme, until recently operated by the Palestinian Ministry of Detainees and Ex-Detainees, include educational assistance, vocational training, wage subsidies, self-employment loans, project loans and health insurance. However, to date there has been no long-term, gender-specific reintegration and rehabilitation programmes established by the Ministry. While a special unit has been established to deal with youth and child detainees, no such facility for women has yet been created. In addition, although the legal section of the Child and Youth Unit created by the Ministry provides legal counseling to women prisoners along with child detainees, this support and interest stops once the woman is released.

## Conclusion

Israel's policy of mass detention and imprisonment has had a devastating and immeasurable impact on Palestinian society. Given that Israel has detained or imprisoned approximately 750,000 Palestinian since 1967 one can only begin to imagine the effects that this had had on the

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families of those imprisoned. It is very difficult to find any household in Palestine that has not been affected by detention and imprisonment and therefore is one of the reasons why the prisoners are so close to people's hearts in Palestine.

According to international law all those detained are entitled to family visits. However, Israel continues to systematically deny these visits as a punitive measure, meaning that some family members have not seen their imprisoned relatives in years. In breach of international law Israel holds the vast majority of Palestinian political prisoners in 1948 Territories. The practical consequence of this is that most Palestinians from the occupied territories must apply for an entry permit to visit their relatives in prison. These permits are regularly denied on 'security ground's although Israel never defines what this means.

One only has to look at the mass hunger strikes of mid-2014 involving over 125 administrative detainees to see how Israel uses family visits as a punitive measure. Immediately following the launch of the strike all family visits for the hunger strikers were banned for four months, while the leaders of the hunger strike were banned for six months. The banning of family visits was one of many punitive measures taken by the Israeli authorities against the hunger strikers.



However, the untold story remains that of the families who have had to endure so many years without their relatives. Not only have they witnessed their mothers, fathers, brothers and sisters being violently arrested by a brutal occupying power but they have been also denied the ability to visit them once imprisoned. All the memories that most people take for granted are filled with sadness and sorrow for the families of the prisoners – birthdays, weddings, anniversaries – all are never really what they should be. For the families of the prisoners these memories will always be a time of mixed emotions until the day the prisoners are released and reunited once again.

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