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Fahad Manzoor  
President (03009435460)

# INTERNATIONAL CRISIS CHAMBER (ICC)

UNIVERSITY OF CENTRAL PUNJAB (UCP) 2017

Reshaping Generations



## STUDY GUIDE TO THE SOCIAL, CULTURAL AND HUMANITARIAN COMMITTEE TOPIC AREA A: ABUSE OF HUMAN RIGHTS FOR FEMALE PRISONERS

Countries that undergo long periods of civil wars and internal unrest face a lot of problems that are spread out in the society as a whole. This causes severe discrimination against several groups within society that are often neglected in times of war such as minorities, children etc. It leads to one of the major abuses of human rights in the form of abuse against female prisoners. As repeated throughout history in different wars fought in different regions and in different periods of time, women are always left back to sacrifice themselves for crimes that may have been committed by the men of their communities through imprisonment. And during imprisonment they are abused in various forms which violate not only the CEDAW

(The Convention on the Elimination of all forms of Discrimination Against Women) but also the basic human rights treaty.

The study guide hopes to highlight a few of the problems faced by women in imprisonment today, and hopes that the delegates can come up with feasible solutions for the enlisted problems. Introduction to the Problem and Definitions Definition Legal custody is: —a seizure or forcible restraint; an exercise of the power to deprive a person of his or her liberty; the taking or keeping of a person in custody by legal authority, especially, in response to a criminal charge. Custody aims to bring the arrestee before the court or to secure the administration of the legal procedure. As we will be simulating the United Nations on the commission of women we will be talking about arrests mainly in regards to women such as the legality, the conditions and much more.

To elaborate more on detention, it can be defined as legally removing of an individual's liberty by government

officials. A person is considered to be detained s/he has been taken to a police station after being arrested for an offence, he is arrested at a police station after attending voluntarily at the station or accompanying a constable to it.

Legal reasons for a detention or arrest are explained in the Article 5 of European Convention on Human Rights as follows:

- (a) the lawful detention of a person after conviction by a competent court;
- (b) the lawful arrest or detention of a person for noncompliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;
- (c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;
- (d) the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;
- (e) the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;
- (f) the lawful arrest or detention of a person to prevent his effecting an unauthorized entry into the country or of a person against whom action is being taken with a view to deportation or extradition.l

Rights in regards to the topic: Right to life:

—Everyone has the right to life, liberty and security of person. Additionally the 6th Article of International Covenant on Civil and Political Rights states that —Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life. This calls not only for the right to live but also for the right to a quality of life which must be provided by the government which includes being well provided for in terms of food, water, facilities and health care. These rights cannot be taken away even under detention and the delegates should constantly refer to these rights when making justifications.

Physical integrity (bodily integrity) is another important human right. Bodily integrity means respecting the unity of an individual's body. The protection of bodily integrity prohibits medical intervention without patient's consent, rape, forced abortion, beating, and forced amputation, unwanted pregnancy, and it is complemented by prohibitions against domestic violence, prohibition of slavery and forced labor, right to life, prohibition of torture and inhuman treatments, Right to Liberty Right to liberty is an important freedom mentioned in UNDHR Article 3.

Additionally ICCPR Article 9 declares —Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.l'This Article explains that in order to take an individual under arrest or detention, officials have to follow legal rules and procedures. Otherwise arrest or detention would be accepted as a breach of the right of liberty Civil wars and their impact on women In the

years before the Civil War, the lives of American women were shaped by a set of ideals that historians call —the Cult of True Womanhood. As men’s work moved away from the home and into shops, offices and factories, the household became a new kind of place: a private, feminized domestic sphere, a —haven in a heartless world. —True women devoted their lives to creating a clean, comfortable, nurturing home for their husbands and children. During the Civil War, however, American women turned their attention to the world outside the home. Thousands of women in the North and South joined volunteer brigades and signed up to work as nurses.

It was the first time in American history that women played a significant role in a war effort. By the end of the war, these experiences had expanded many Americans’ definitions of —true womanhood. In the 1830s; thousands of women were involved in the movement to abolish slavery. While working to secure freedom for African Americans, these women began to see legal similarities between their situation and that of enslaved black men and women. Out of the abolitionist movement, feminism was born, and many women involved in the early abolitionist movement went on to become important leaders in the early women's rights and suffrage movements. Women like Angelina Grimke and her sister Sarah Grimke became famous for making speeches about abolition to audiences of males and females, which were called promiscuous audiences.

For this radical action, clergymen soundly condemned them. As a result, in addition to working for abolition, the Grimke sisters began to advocate for women's rights; other women followed their lead. The feminist movement demanded equal political, economic, and social rights for all women regardless of their ethnic background; it was the leading force behind the women's rights movement. The first wave of feminism began with the Seneca Falls Convention in 1848, and it continued on throughout the last half of the 19th century and the first two decades of the 20th century, until women won the vote in 1920. The women's rights movement, also called the feminist movement, was established to combat sexual discrimination and to gain opportunities for women equal to those of men. It began at the First Women's Rights Convention at Seneca Falls, New York in July 1848, the first meeting on women's rights ever held in the United States. The women's rights movement had been gathering a following before the war, and it resumed after the war's conclusion. Although the majority of women were forced to return to their traditional domestic roles, this period marked a significant turning point in women's history. Women were getting recognition, as when President Andrew Johnson wrote a letter praising Union spy Sarah Thompson, calling her a woman of the highest respectability. The image of female empowerment in wartime brought the movement new energy. The war had given women a chance to control their own lives, to earn their own money, to manage their own finances, to be independent. Some women were no longer willing to complacently fill the roles they had occupied before the war. Some women had entered paid employment in government service, industry and public schools in significantly greater numbers than previously. The 1870 Census Report listed "Females Engaged in Each Occupation" for the first time. In 1890 the Census Bureau began to separate out data for married, single, divorced and widowed women. Women did begin to go to college after the Civil War, and for the most part they went to coeducational institutions. Newly established mid-western land grant colleges opened as coeducational facilities, but established schools in the northeast resisted the change. In 1870 only 0.7% of the female population went to college. This percentage rose slowly, by 1900 the rate was 2.8% and it was only 7.6% by 1920. Those pioneering women who did seek a

college degree faced many critics, some of the harshest from the medical profession.

Harvard Medical School professor Dr Edward Clarke asserted in his widely respected *Sex and Education* (1873) that intellectual work damaged women's reproductive organs. This scientific reasoning added fuel to the arguments of those who did not want women to go to college for social reasons. However, there was a genuine fear that higher education would make a woman unfit for marriage and motherhood. And in fact, 50-60% of the first generation of college women never married, or waited until they were considerably older before they wed. When faced with the option to work or to marry, many women decided to work, turning their energies to social reform and establishing their own careers.

#### TYPES OF ABUSE

Though there are many subdivisions with the discrimination against women in prisons however they can be roughly divided into several broad categories which must be talked about in detail and these include:

##### 1) Unregulated and poor prison conditions: Troubles of Pregnancy

A 2014 report on Zimbabwe Prison Conditions notes that, prison conditions are harsh with incidences of poor levels of sanitation, overcrowding and inadequate medical facilities. ‘ The nurses utter all sorts of abusive words. I was made to walk all the way to the labour ward and only got attention from the nurses when the baby’s head was out. Elizabeth Mapakame, shares the same story with Mhandu as she served jail time while pregnant: —The joys of motherhood are lost by the insane conditions that prevail in prisons because they are unsuitable for nursing and pregnant mothers, she said. —Pregnant inmates are treated just like any other female prisoner without their needs being recognised. The prisons do not have post natal care. You are forced to return to jail within 48 hours after giving birth at public health facilities together with the newly born baby and that is when you get an extra blanket for the baby. —When my time to give birth was due, I was transferred to Harare Hospital where I was met with my own fair share of humiliation. The prison garb tells its own story to both the health professionals and other expecting mothers who instantly stigmatize you. —It is depressing to give birth whilst you are in prison because of the conditions that we would be exposed to. The diet does not change for nursing mothers and many risk a lot of infections, narrated Mapakame. According to the Zimbabwe Lawyers for Human Rights 2014 report, Zimbabwe has only three fully fledged female prisons in the country – Chikurubi, Shurugwi and Mlondolozhi, all the other prisons have a section that has been set aside for women and the conditions are not favourable to female inmates. —The prisons do not support post natal care and I think the government should support the newly born babies with clothes, blankets and nappies, Mhandu said. The Zimbabwe Prison Services Deputy Commissioner, Aggrey Machingauta told the Senate Thematic Committee on Human Rights that at least 29 babies are sharing prison cells with their mothers who are serving sentences for committing various offences in some of the country’s 46 prisons. —Owing to acute food shortages that have been affecting the institution, nursing mothers have been diagnosed to be severely malnourished, while women who are arrested while pregnant do not have adequate nutrients to sustain the babies in good health, said Deputy Commissioner Machingauta.

According to Zimbabwe Association of Crime Prevention and Rehabilitation of the Offender, Zimbabwe Prison Services is unable to provide clothing and food for young children. Deputy Commissioner Machingauta disclosed that the organisation was saddled with multifaceted problems that were inhibiting it from providing basic needs for prisoners including food, water and clothing. —Funds allocated to the institution are inadequate. Lack of funding has been regarded as the contributing factor that has been affecting the ZPS, said Machingauta. The situation is so bad that most of the toiletries used by inmates are provided by non-governmental and religious organizations. —Prisons should be correctional facilities not torture bases, said Pastor Tawanda Gezi, of Prison Fellowship Zimbabwe, one of the organisations that helps female prisoners. Female Prisons in Pakistan Despite having kaleidoscopic culture, discrimination of womenfolk is quite common in Pakistan even today – seemingly fulfilling an undeclared agenda that women should be restricted from having liberty, education, economic exposure, and rights. But going behind the bars makes them even more vulnerable and adds to their exploitation because of the stigma they carry for whole of their lives. This descriptive research deals with the crucial issue of women prisoners in Pakistan; identify the factors that lead the involvement of women in criminal activities; and looks into the condition of women prisoners in jail through qualitative methodology.

Anjuman Tariq, representative of Social Welfare department stated in her interview to the author, —most of the woman prisoners are either illiterate or belong to backward areas and —many had committed crimes because of ignorance. Though a room was reserved for teaching but there was no teacher available for these women to make them thinking and aware individuals. She said, —We are also arranging vocational trainer and teacher. It is against clause 77 (1) of the SMRTP. After observing the phenomenon, reviewing literature, interviewing the woman prisoners and other stockholders it is difficult to reject that in most cases women do not commit crimes on their own. Because the space they have in social and economic life, generally, does not allow them to operate independently. In fact most of their acts are due to men or on the behest of men. It is observed and noted during the interviews that most woman prisoners had been suffering from economic problems and belonged to marginalized families. They were heavily dependent on men who led them to be exploited and abused. Their male fellows were either not in a position or not giving them sufficient money to fulfil their basic needs and run the households. If men allow and encourage women to undertake some economic activities, the incomes of households can be increased. In society like Pakistan, women are confined in their house due to men's chauvinism. Rehabilitating Measures As far as rehabilitation of woman prisoners is concerned; it also requires some micro level measures.

For women, the jail should not only be a place for their confinement them but it should be a reform centre for their education, training and rehabilitation. The period they remain in jail, they should be given proper training for some useful skills and crafts which they can use to earn money and minimize their dependency on men. They should be made aware about their rights and potentials. The trainee teachers and NGOs can be involved for such programs. There should be a compulsory two hours teaching in jail to make them literate. They should be given incentives like reduction in imprisonment if they clear different levels of education. As education can make the difference and make them better human beings. Some women in jail had been suffering from serious

psychological problem, so they should be provided with psychiatrists. For that matter, graduate and post graduate female students of universities can be asked to do their internships in jails. In every jail there should be a display centre of the things made by the woman prisoners. The income of these centres should be given to the inmates. This way woman prisoner can earn and save money which they can use to start an economic activity on their release. At least one hour in a day should be reserved for their recreational activities to keep them mentally and physically healthy. They should also be shown plays and movies having moral values for character building. Illicit Sexual acts Inside Prisoners When you speak about sex in prison a few images come to mind. The most popular being that of a male inmate bending down in the shower to pick up the soap. Or perhaps you think of the horrific rape scenes in Scumor The Shawshank Redemption. Unless you are a fan of Orange is the New Black or the updated version of Prisoner Cell Block H – Went worth then female inmates may not immediately spring to mind. However the Howard League for Penal Reform has recently published a report that investigated sex between female inmates and staff in England and Wales. It is the first independent review of sex of behind bars and they found that female prisoners have been coerced into sex with staff for favours, such as alcohol and cigarettes. As a former prison officer that has worked in both a male and female prison I have a few views on this report. A prison is a world within a world and everybody inside those walls is trying to survive no matter what their status is. The only people that really know what is happening in there are the people that are in there. And whether you are an officer or an inmate you only ever really know half the truth. Sex behind bars may be a more commonplace than known. There have been numerous rumours of prisoners being taken out to get forced abortions. Any sensible being can deduce that a woman that has been behind bars for a number of years doesn't get pregnant by osmosis. Although The Prison Service has said that it doesn't condone sex in prisons, it is powerless to stop it. Many female prisoners have been coerced into committing crimes for their partners and when they end up behind bars they find themselves abandoned and they have to survive. And sexism doesn't stop at the prison walls. Females are still at risk of abuse and rape and unfortunately because they are inmates there is often no legal remedy available for them to seek justice. The word of a prisoner is hardly ever believed. Even if prison officers lie, the governor will take their favour without question. So keeping on the right side of officers is paramount for survival. Many of these women have been abused or have mental health issues and they are vulnerable. In all prisons there is a hierarchy. Staff and inmates all have someone that they have to answer to. Inmates even judge each other. There are some crimes that even behind bars are seen as absolutely despicable and even fellow inmates will ostracise you if you are convicted of one of these. The most offensive to all are crimes against children. But when a power structure is in place it tends to be an imbalance of power and when that happens in prison, like the rest of the world, people tend to take advantage. And where there is a need for commodities then people will trade whatever they have and that includes sexual favours.

The main difference when it comes to sex in a male and female prison is the level of openness. There were male inmates that would have sex together, and there were male inmates that would have sex with male members of staff. But this was something that was generally frowned upon due to the level of machismo that is prevalent in mainstream society. Some inmates would get involved in sexual relationships but it was never spoken about openly. In a male prison if someone was having sex with the wing was often abusive and led to bullying from

others. Inside prison whereas in a female prison, sex was a lot more 'open' between inmates. They would publicly hold hands and show affection towards each other. It signalled that one is protected. Clearly, if a female prison officer was having sex with a female inmate, they wouldn't hold hands in public – the officer would have lost her job. But the idea was not so frowned upon as in male prisons. Sometimes these relationships are not abusive and are totally consensual. The fact is that prison officers work very closely with these people. You see them day in and day out and you speak to them about their lives and their families. They often confide their hopes and dreams in you. They are sometimes expert at manipulating you and often have nothing better to do than think of ways to impress and flatter you. There are sessions at Prison Service training college that teach you how to prevent yourself being conditioned. You should never have a deep conversation with the same inmate more than two days in a row and you should always report any letters or presents that they may give you. There is an expression called 'yard swole'. That describes a man that has spent a lot of time in the prison exercise yard lifting weights and exercising. Ultimately irrespective of the fact you are both adults, there is an imbalance of power and that is never right. A woman accused of murdering a pensioner has become pregnant in jail while awaiting trial. Margaret Henderson, who is in custody, says she had relations with a youth prisoner held on the same jail site. The pregnancy has been confirmed and the 29-year-old is receiving the appropriate medical care. The women's jail at Hydebank Wood College, Belfast, is housed on the same site as a college for young offenders aged 18 to 21. Sources claim there is a free flow of prisoners across the Hydebank 'campus' with a number of sexual encounters caught on camera and by staff. A second prisoner, who was released in February, is claiming she also got pregnant inside the same jail towards the end of her sentence. A source said: —This former inmate is apparently planning to sue the prison service after getting pregnant while in their care. A spokesman for the Prison Service said: —We have received no information on this. Henderson, who was homeless before she was taken into custody, told the prison authorities she got pregnant after having relations with a male prisoner in Hydebank Wood. Sleeping Conditions Prisoners typically wake up between 5 and 6 a.m. in the morning to be counted and checked by guards. Almost all prisons have inmates share cells. Sometimes women will share with one or three other women, but some prisons, such as the Lincoln Correctional Facility in Indiana, have up to 20 women sharing one large room. If the inmate has a job in the prison's kitchens, the day can start as early as 3:30 or 4 a.m. In the evening, prisoners can go to sleep anywhere from 8 p.m. to midnight. Many facilities typically turn out lights around 11 p.m., but during the time when prisoners return to their cells, they have relative freedom to choose their activities. Because prisoners who don't have heavy work schedules can have downtime during the day, women tend to bond closely with the other prisoners, creating prison "families" for support and companionship. At night the inmates are counted again — they're counted several times during the day — and they go to sleep.

Up to three inmates live in less than four square metres of space. An overpowering stench of urine and mould billows out into the courtyard. In the turmoil of the shouts some of the prisoners draw back to their spots on a tattered mat on the floor that aside from a few plastic bowls is the only object in the cell. Rights organizations working in Nigerian prisons- and even prison officials themselves - say the conditions of death row inmates do not fulfil even minimum international human rights standards. In Kaduna prison, death row inmates are locked up all day long, said Festus Okoye, executive director of Human Rights Monitor (HRM), a group based in the

northern city. —They are allowed out only rarely, for a few minutes, one by one, he said. Meanwhile some prisoners collect the buckets used as toilets. Most of the death row inmates are utterly alone and never receive visitors - their families living too far away and having abandoned them for fear of being associated with their crimes, rights group sources say. Some simply cannot pay the \_visiting rights' fee charged by the wardens. Nigeria this year acknowledged the sorry state of its jails, announcing plans to free some 25,000 inmates still awaiting trial - some for as long as 10 years- in a bid to relieve overcrowding and bad conditions. Sanitary Conditions A woman in the United States reported, At York, each cell, which houses two female inmates, receives five pads per week to split. I'm not sure what they expect us to do with the fifth but this comes out to 10 total for each woman, allowing for only one change a day in an average five-day monthly cycle. The lack of sanitary supplies is so bad in women's prisons that I have seen pads fly right out of an inmate's pants: prison maxi pads don't have wings and they have only average adhesive so, when a woman wears the same pad for several days because she can't find a fresh one, that pad often fails to stick to her underwear and the pad falls out. It's disgusting but it's true. The only reason I dodged having a maxi pad slither off my leg is that I layered and quilted together about six at a time so I could wear a homemade diaper that was too big to slide down my pants. I had enough supplies to do so because I bought my pads from the commissary. However, approximately 80% of inmates are indigent and cannot afford to pay the \$2.63 the maxi pads cost per package of 24, as most earn 75 cents a day and need to buy other necessities like toothpaste (\$1.50, or two days' pay) and deodorant (\$1.93, almost three days' pay). Sometimes I couldn't get the pads because the commissary ran out: they kept them in short supply as it appeared I was the only one buying them. Connecticut is not alone in being cheap with its supplies for women. Inmates in Michigan filed suit last December alleging that pads and tampons are so scarce that their civil rights have been violated. One woman bled through her uniform and was required to dress herself in her soiled jumpsuit after stripping for a search. The reasons for keeping supplies for women in prison limited are not purely financial. Even though keeping inmates clean would seem to be in the prison's self-interest, prisons control their wards by keeping sanitation just out of reach. Stains on clothes seep into self-esteem and serve as an indelible reminder of one's powerlessness in prison. Asking for something you need crystallizes the power differential between inmates and guards; the officer can either meet your need or he can refuse you, and there's little you can do to influence his choice. When the York Correctional Institution became coed during my sentence – merging the old Gates Correctional Institution and the women's prison – a lieutenant who spent his career at York and was unaccustomed to working with male inmates told a group of inmates that the men would rather defecate in their pants than ask him for toilet paper and get jerked around for it. To ask a macho guard for a tampon is humiliating. But it's more than that: it's an acknowledgement of the fact that, ultimately, the prison controls your cleanliness, your health and your feelings of self-esteem. The request is even more difficult to make when a guard complains that his tax dollars shouldn't have to pay for your supplies. You want to explain to him that he wouldn't have a pay check to shed those taxes in the first place if prison staff weren't needed to do things like of feeding inmates and handing out sanitary supplies – but you say nothing because you want that maxi pad. The guards' reluctance to hand out the supplies is understandable because of inmates' off-label uses for the products. Women use the pads and tampons for a number of things besides their monthly needs: to clean their cells, to make earplugs by ripping out the stuffing, to create makeshift gel pads to insert under their blisters in uncomfortable work boots or to muffle the bang that sounds

when a shaky double bed hits a cement wall whenever either of its sleepers move. The staff watches us waste a precious commodity. What they fail to acknowledge is that these alternative uses fill other unfulfilled needs for a woman to maintain her physical and mental health. If we had adequate cleaning supplies, proper noise control, band-aids for our blisters or stable beds, we would happily put the pads in our pants. There are ways to restore dignity to America's inmates. For example, we could remove the entire sanitary supply problem if American prisons bought the newly-released Thinx for female inmates, which are super absorbent, stain-free underwear designed by a woman's start up. Thinx are expensive – \$200 for seven pair – but they still might be cost effective when you factor in the cost of buying disposable pads and the time and energy devoted to the pad power struggle in women's prisons. But I doubt that corrections systems in the United States will give up the forced scarcity of menstrual products in prison. Though many argue that prisoners cannot be pampered in jail, having access to sanitary pads is not a luxury – it is a basic human right. Just like no-one should have to beg to use the toilet, or be given toilet paper, women too must be able to retain their dignity during their menstrual cycle. Using periods to punish women simply has no place in any American prison. The situation is the same for women inmates in Kaduna prison, where 18 women live in two cells, sleeping on iron beds stacked one atop another, some without mattresses. The bathroom has long been without running water. —We are devoured by mosquitoes, we all suffer malaria but don't have bed nets and the hospital has no medicine except paracetamol, said Zainab, 32, who has been incarcerated since April. —There is nothing. Even sanitary napkins - we have to share one between two women every month, or even every two months. Prison conditions weigh heavily on the detainees, often causing depression and other psychological problems, according to Damulak. And prison personnel are not trained to handle such issues, he said. To survive in their environment, some prisoners have taken things into their own hands. —They have created a veritable government, HRM's Okoye said. —One prisoner is president, another police chief, another head of justice. He added that some prison officials see the initiative as a positive thing because it helps foster order in the institutions. Former prisoner Obi said, —Some [prison \_leaders\_] invent rules that are impossible to follow. Punishment generally comes in the form of an order to do chores, such as washing the clothes of 'chiefs,' but often prisoners pay for misdeeds by being beaten or even sexually assaulted. Despite efforts by inmates to impose some sort of organisation, prison riots are common, PRAWA's Ogbosor said. —In the past six months we have seen five riots in prisons across the country - all linked mostly to the lack of food for detainees. Under the recently announced plan to release prisoners, those who have spent three to 10 years awaiting trial will have their cases reviewed for immediate release. Also eligible will be the elderly, the terminally ill and those with HIV, as well as people locked up for longer than the prospective sentence for their crime.

Among those who have languished in prisons for years, human rights activists say, are some who were picked up by mistake or for very minor infractions and simply could not pay a fine. Food Supplies In Kaduna, Nigeria, the risk of death in prison remains high, particularly because of lack of food, said Harp Damulak, the Kaduna prison hospital doctor. The daily ration generally consists of a bowl of beans in the morning then cassava in the afternoon and evening. Prisons have a budget of 150 Naira (US \$1.15) per prisoner per day. But this small amount does not necessarily get to all prisoners. Supply is in the hands of subcontractors who sometimes dip into the goods, according to PRAWA, HRM, and prison officials. The UN Office on Drugs and Crime says a

prison employee earns about 6,000 Naira (\$45) per month at the start, earning a maximum of about 40,000 Naira monthly at the end of a career. As a consequence corruption is common. Zimbabwean President Robert Mugabe has granted amnesty to all female prisoners except those on death row or serving life sentences, as prisons struggle to feed inmates due to lack of funding from the government. Five prisoners died in March 2015 after being shot by police in a protest over food shortages, which turned violent as some of them attempted to break out of jail. Mugabe announced the pardon through a government notice on Monday, without stating a reason for the move, and the release of prisoners started on Wednesday. Zimbabwe Prison and Correctional Services spokeswoman Priscilla Mthembo said on Thursday there were 580 female inmates across the country's 46 prisons, and those eligible would be set free. At the country's top security jail in Harare, two female prisoners serving life sentences remained after the amnesty, while vetting was on going at other prisons. In all, Mthembo said more than 2,000 prisoners would benefit from Mugabe's pardon. These included all juveniles, irrespective of their crimes, as well as some men not serving time for serious crimes like murder, armed robbery, treason, rape or carjacking. Illnesses and lack of Health Facilities The recent death of a woman serving a life sentence in an Ontario prison was —preventable, an advocacy group said Thursday as it demanded an end to segregation for incarcerated women, particularly those with mental health issues. The Canadian Association of Elizabeth Fry Societies, a group that advocates for the rights of women in the justice system, said Baker had a history of mental illness and was in segregation when she was found with a ligature around her neck. A visit was conducted to continue the advocacy efforts on behalf of women prisoners with HIV, hepatitis C and other serious illnesses. Visits with a woman who recently suffered a stroke after being forced to take the wrong medications by prison medical staff. Visits with women with hepatitis C who are not receiving any education, care monitoring or treatment for their disease. Visits with a woman living with HIV who recently survived an attack of AIDS-related pneumonia without receiving any medical treatment from prison staff. In a prison in the United States, three of the women who died had HIV (and possible hepatitis C co-infection). (And, by the way, the local county coroner has a policy of not doing autopsies on HIV-positive women prisoners, so we will never know the real cause of medical neglect that precipitated their deaths.)

In another report, in the LA County Jail, 2014, Prisoner Gina, began to bleed so profusely that she would go through many sanitary pads in the space of a few minutes; most of the time, she was just left to bleed all over herself and her cell. When her cries got loud enough, jail guards would typically come over and look at her with disgust, and then throw her to rot.

2) Mistreatment of prisoners Sexual Violence and Rape - Imagine a young woman handcuffed as a large man beats and rapes her so forcefully that it results in her rectum being torn. Imagine her pained cries that go unanswered and ignored. Imagine that after hours of this vicious assault she is left in a bloody heap on the floor. In all likelihood, this deplorable act of violence makes you angry and disgusted. However, does your reaction change if you learn that the victim was wearing a prison jumpsuit? Does it, or should it, make you any less enraged or any less willing to help? These are the questions that confront American society, as it becomes harder to ignore what Congress has labelled an "epidemic" of sexual assault in America's prisons. Abuse, of course, can take many forms, from the flagrant - outright rape, groping, invasive pat-downs and peeping during

showers or while an inmate is on the toilet - to verbal taunts or harassing comments. And while advocates for the incarcerated have long tried to draw attention to these conditions, they've made little to no headway. But that may be changing thanks to the promulgation of rules, finalized in June, to stem the overt sexual abuse of prisoners. The nine-years-in-the-making Prison Rape Elimination Act (PREA) is the first law in US history to address the sexual abuse of those in lock-up, and its passage made clear that the sexual abuse of the incarcerated - men and women - is a pervasive problem in prisons throughout the 50 states.

But let's hold off on PREA for a minute and first zero in on the reality of female incarceration more generally. Currently, there are over 200,000 women imprisoned in the US. According to Human Rights Watch at least 15 percent of incarcerated females have been the victims of prison sexual assault. These assaults occur at the hands of prison staff and other inmates. Males are the perpetrators in 98 percent of staff-on-inmate sexual assault of female inmates. Forty-one percent of guards in the average state female correctional centre are male, a job that entitles them to perform strip searches and have access to prisoners in their most vulnerable states. Therefore, although women comprise only 7 percent of the state prison population, they comprise 46 percent of sexual abuse victims. Male prison officials not only use force and violence to commit sexual assault against female prisoners but also use their positions to coerce, threaten and intimidate inmates into sexual activity. Thousands of documented accounts exist of prison staff demanding sex in exchange for drugs, favours and access to educational programs.

Similarly, prison officials often use threats of going to the parole board with false reports of bad behaviour, planting drugs on prisoners or withholding basic necessities such as feminine hygiene products or visitation with children if inmates do not perform sexual acts. While these acts are repugnant, prison officials are not the only perpetrators of sexual assault against female inmates. Research suggests that rates of sexual victimization in prison may be as high as 41% or as low as less than 1%. A recent meta-analysis estimates a conservative —average prevalence estimate of prison sexual assault at 1.9%. While the estimated rate of victimization varies significantly across studies, the characteristics of the victims reported in these studies are more similar. First, rates of sexual coercion are higher than rates of sexual assault or rape, independent of gender. More specifically, unwanted and sexually suggestive touching of breasts, genitals, or buttocks is more typical inside prison than the act of rape itself. Second, in the vast majority of studies, male facilities have been found to have higher rates of sexual assault compared to female facilities. Yet the perpetrators of sexual assaults against female inmates, compared to male inmates, are less likely to involve staff. Third, younger inmates are at greater risk of sexual victimization, particularly if they are new arrivals to a facility and are serving their first convictions. This may explain in part why rates of sexual victimizations vary across facilities within the same prison system. Facilities with a younger population would be expected to have higher rates of victimization than those facilities with a more mature and acculturated prison population. Fourth, inmate-on-inmate sexual victimization has an interracial bias, with victims most likely being White and sexual aggressors most likely being Black. This interracial pattern of victimization has been attributed to revenge for historical oppression and the reversal of racial dominance inside prison. Torture ones and used electric shocks at their genitals; —They let go of them when they confess to prepared confessions against themselves, the report quoted a relative of a prisoner. The

prisoners in many cases suffered from sleep deprivation and constant torture, including beating at sensitive parts of their bodies and electric shocks, for consecutive days and nights.

Ana Muhammed Saleh al-Arab's parents said their daughter was imprisoned for one week in al-Jaw Prison, in a condition that regime authorities refused to provide any documents to his family or lawyer as why he was being jailed. In Bahrain, Some families said tortures and abuses occurred even at the interrogations in al-Howdh al-Jaf prison which in certain cases , eye-witnesses corroborated previous claims that animals -- dogs--have been used to intimidate and draw forced confessions from the female prisoners. The families of political prisoners said regime forces blindfolded their beloved Ana's parents said their child was held suspended in air for five whole days. They didn't let her sleep and was beaten so harshly that he was unable to move his hands Burmese detainees can be subjected to physical and psychological torture, regardless of age, sex, or the official charges held against them. In some cases, this torture has occurred before official charges have been made, both in secret interrogation centres and in the prisons themselves. The psychological impacts of these tactics remain with former political prisoners throughout their lives. As one former political prisoner described after being imprisoned from 1998 to 2002: —When I was finally released, I had become a very different person. I have a fear of large crowds now; I think I am much quieter. I was 23 when I was arrested, I was 27 when I was released, and those four and half years in prison should have been my school years. It was difficult for me to interact with other students and I become withdrawn. Before I was arrested, I spoke English pretty well, but by the time I was released my English was very poor. I had never read an English book in prison. I have problems falling asleep and sometimes there are nightmares. People avoided me when I came out of prison, they did not want to try to connect with me. That was fine because I could not relate to them anymore. There are countless other stories of the fear tactics, physical defilement, and degradation inflicted upon political prisoners that are documented in AAPP's report. The international community has praised the new government in Burma for releasing hundreds of political prisoners. However, hundreds more political dissidents remain behind bars, and the ones who have been released have received no compensation, counselling, or even apology from the government. Documents like The Darkness We See are important for recording what abuses happened under the old regime, and should play an important role in reconciliation processes.

3) Inadequate legal protections - A desperate prisoners pleas for justice, were not heeded.

Case Study: When women in Iraq are arrested, they routinely go through three gruesome phases, starting with humiliation, followed by torture, and often ending with rape. I have received disturbing information from two different, well informed sources: one from qualified social workers in Al-Kadimiyah Women Prison, the other from three national guards officers who worked in the prison. The common procedure is as follows: During the Arrest The torture journey starts when security forces raid and search the houses, through random raids or ordered raids. The Fourth Commander of the Second Brigade – Team 6, Major Jumaa AlMusawi, has confirmed this information. This man has a criminal record, and he was assigned to this position by the American Forces during their first training courses in intelligence gathering. He used to live in Al-Thawra (now called Sadr City) / Sector 87. In his own words: When we receive the raid and search orders from the Brigade Intelligence, we usually start with a little party and drink alcohol, or take some drugs. We choose the most cruel

soldiers to carry out such operations. The first thing we do is to lock the men and youngsters in a room, and the women and children in another room. We start to steal what can be taken fast, like jewelry, and we mess up the house, like throwing the women's underwear here and there; some soldiers even steal some of this underwear. After that, we start to do a body search on the women, and having fun touching their private parts or breasts. We threaten them to arrest the men in the house when they refuse to be touched. If those women are pretty, we usually rape them immediately, and leave the house when we find no weapons or incriminating material. In case we find some weapons, every man and youngster in the house will be arrested, and if there are no men at home, we arrest all the women instead. This is totally according to the orders we receive. What follows is one of many stories about the crimes committed by these corrupt creatures, who shamelessly brag about their misdeeds to each other. AlMusawi and his assistant Lt. Rafid AlDarraji (another criminal who was imprisoned in Abu-Ghraib and sentenced to death, but was released by the Americans, using him as a guardian, along with their own guard dogs, giving him the Lt. rank. He used to live in AlNuariyah District. Here is what they state: —In July 2006, we received an order to raid and search the house of one of the fabric merchants in Karradah (his name is not mentioned). When we reached his house at 1:00 a.m., we didn't find the man, we only found his wife and his 17 year old son. During the search we found a rifle, which – according to our law – is permitted for the personal protection of civilians. But we threatened the woman that we would arrest her son if she didn't let us rape her. So, we handcuffed the son and locked him in a room, and one soldier after the other raped the lady in the other room. The other soldiers stole what they could find, then we headed to a well-known brothel in Al-Doura District in Um Alaa's house to enjoy the rest of the night there.¶ They continue: —The first thing we do when an arrested woman is being transported to the detention location, is that every part of her body is touched by all the soldiers in the vehicle, while using dirty language. When we reach the detention facility, we leave her in the investigation room, supervised by the intelligence officer and his assistants. They directly take all her clothes off, blindfold her, handcuff her, then the intelligence officer starts to rape her with his assistant. And later they ask her some questions: if she's guilty or innocent and so on. Then they blackmail her, saying that she should be cooperative and give important information about the District where she lives, otherwise they would distribute photos of her while she was naked and being raped. They would accuse her of false charges if she would file a complaint about harassment and torture. If she receives a guilty verdict, she usually stays in the same location for a period of one to three months, in order to finish the procedures of her —case, to be sent to the headquarters.

During these months, every single intelligence officer and soldier in the Brigade will rape her. After that, she will be sent to Al Tasfeerat Prison in Shaab Stadium, or to Al-Muthanna Airport Prison. Sometimes the prisoner is transferred to the facility of the Chief Commander's Office in the Green Zone, which is a cellar under the building of the Baghdad Operations Headquarter, supervised by Major General Adnan Al-Musawi. This place is one of the most dangerous, dirtiest prisons of Al-Maliki. Al-Tasfeerat Prisons This is the second stage of the unfair arrest journey. The female detainee will be sent either to Shaab Stadium Prison or the notorious Al-Muthanna Airport Prison. A group of the worst psychopaths in the government is supervising these prisons, a corrupt committee of criminals of the Military Intelligence, the Intelligence services of the Ministry of Interior, and an Intelligence and Security Representative from the Chief Commander's Office.

This management is appointed by the Iraqi Correction Office through the Ministry of Justice. 45% of its employees are Al-Mahdi Militia members, 30% from the Badr Organisation. The other 25% is divided among the other criminal parties of the government. This phase is considered as the most barbaric. The security forces, prison guards and members of the prison management practice the most terrible ways of torture, humiliation, profanation, deprivation, blackmailing the prisoners, ethnic and sectarian and political discrimination, and raping men and women without exception. Female prisoners are detained for very long periods, without legitimate accusations or investigating their case. In criminal Maliki's jails, there are many women who were imprisoned for periods between one year and six years, without any legal representation or procedures regarding their case.

There are many examples of the immoral and brutal practices being committed against female and male prisoners in Al-Tasfeerat Prisons. Some officers from the Ministries of Interior and Defense, the Office of the Chief of Command, and some partisan and criminal militia leaders visit these prisons, and choose some detainees to be tortured for hours and raping them for sectarian reasons. Some of the prisoners die as a result of this brutal torture. Between 2008-2012 Al-Rasafah Tasfeerat Prison recorded the death of more than 250 prisoners, among them 17 women. During the same period AlMuthanna Airport Prison recorded the death of 125 prisoners, among them three women. And these torture practices do not only take place in Al-Tasfeerat Prisons, but in all the prisons supervised by the Ministry of Justice, especially the Juveniles Prison, Al-Kadimiyah Women Prison, the notorious Abu-Ghraib Prison, in addition to the secret prisons of Al-Maliki where no accurate records are available about the male and female detainees who died because of the brutal torture they faced there. It's worth mentioning that under Al Maliki's rule, some notorious high risk level prisoners – men and women alike were released or secretly smuggled out Al-Tasfeerat Prisons, after destroying all the documents and papers related to their cases, on the orders of Ministers and VIPs in the Ministries of Interior and Defense, and the Commanding Chief's Office.

Here are some of prisoners who were released:

1. Radiyah Kadum Muhsin : she was one of the prominent leaders of the Dawa Party, and was released after an order from Al-Maliki himself, and under the supervision of his Intelligence and Security Consultant. She was accused of leading one of the biggest human trafficking criminal gangs that kidnap children and sell them, in addition to prostitution, seducing some officers and government officials, and blackmailing them with their own pornographic photos, or even eliminating them. She was also accused of drug dealing, and forging official documents.

2. Adnan Abdulzahra Al-Aaraji: he is one of the prominent leaders of the Mahdi Militia, and the head of one of the most notorious gangs known in Iraqi history in terms of sadism, criminality and discrimination. He was arrested by the Americans while he was trying to smuggle 5000 corpses of his victims to Iran during the sectarian wars in 2006. Those corpses were sent to Iran in three cooled vehicles for the sake of human organs

trade. He was accused of smuggling antiques, explosives, weapons, and drugs. We mentioned here only two of the prisoners who were —released from Al-Maliki prisons. After The Trial Here begins the real tragedy. After the arrest, the prisoner – if she's still alive – has physical wounds all over her body, having many psychological problems because of the unfair trials and the terrible treatment she faced during the time in prison, including torture and rape. And here is another serious hardship the female prisoners are facing inside the detention centres. There are women in these prisons with criminal records, convicted for various crimes. The prison supervisors use those inmates to bully the arbitrarily detained, innocent female detainees, imprisoned for sectarian reasons, because of false accusations or reports by secret informants. Those inmates are scaring the arbitrarily detained, watching them, blackmailing them through continuous attempts to find out things about their personal lives. Then that information is used against these innocent women to break them psychologically, through disinformation and lies about the families of those innocent prisoners.

### Various Ways of Torture of Iraqi Female Prisoners

1- Physical and Psychological Torture: the prison supervisors use many different forms of physical and psychological torture, which they learned from their Americans and the Iranians supervisors.

These methods include:

§ Taking off the clothes of the prisoners for more than two hours, while insulting them.

§ Beating them hard with sticks, or kicking them hard in the loins.

§ Electrical shocks in their breasts, loins and head.

§ Using all kinds of sexual harassment (we will not reveal more details because of the extreme shameful nature).

§ Recurrent rape after midnight by the guards and other persons who work in the prison, in the presence of the prison manager, because the rape often happens in his room.

Those criminals: the prison manager and the other supervisors, continuously repeat their disgusting acts. They invite other security officers from the Ministries of Interior and Defense to participate in their savage orgies, that always end in rape of the prisoners.

2- Deprivation: This word does not accurately describe the dire situation of the women in prisons who are devoid from the simplest rights and needs, like;

§ Deprivation of family visits, phone calls, and all kinds of contact.

§ Deprivation of health services, health care, and other sanitary needs.

§ Deprivation of legal rights, no authorization to see or consult a lawyer.

§ Deprivation of regular exposure to sunlight, and having no detergents or necessary disinfectants.

§ Deprivation of complaining to the concerned committees, prisoners are threatened that they should not complain to those committees or else... And even if the prisoners file a complaint, no one will ever listen, because those committees will hear the complaints and then neglect them.

3- Blackmail and Terrorization: Female prisoners often receive threats that their family members will be

arrested and false accusations are made against the families of the prisoners. The prisoner has to pay a huge amount of money and has to beg to make a phone call to her family. Those who have not enough money can sell their bodies to make a phone call. This is just a brief account of what is happening in the women prisons. Baghdad alone has more than 3000 women imprisoned. The prisoners are distributed among the following jails:

§ Al-Kadimiyah Prison

§ Al-Tasfeerat Prison in Shaab Stadium.

§ Al-Muthanna Airport Prison.

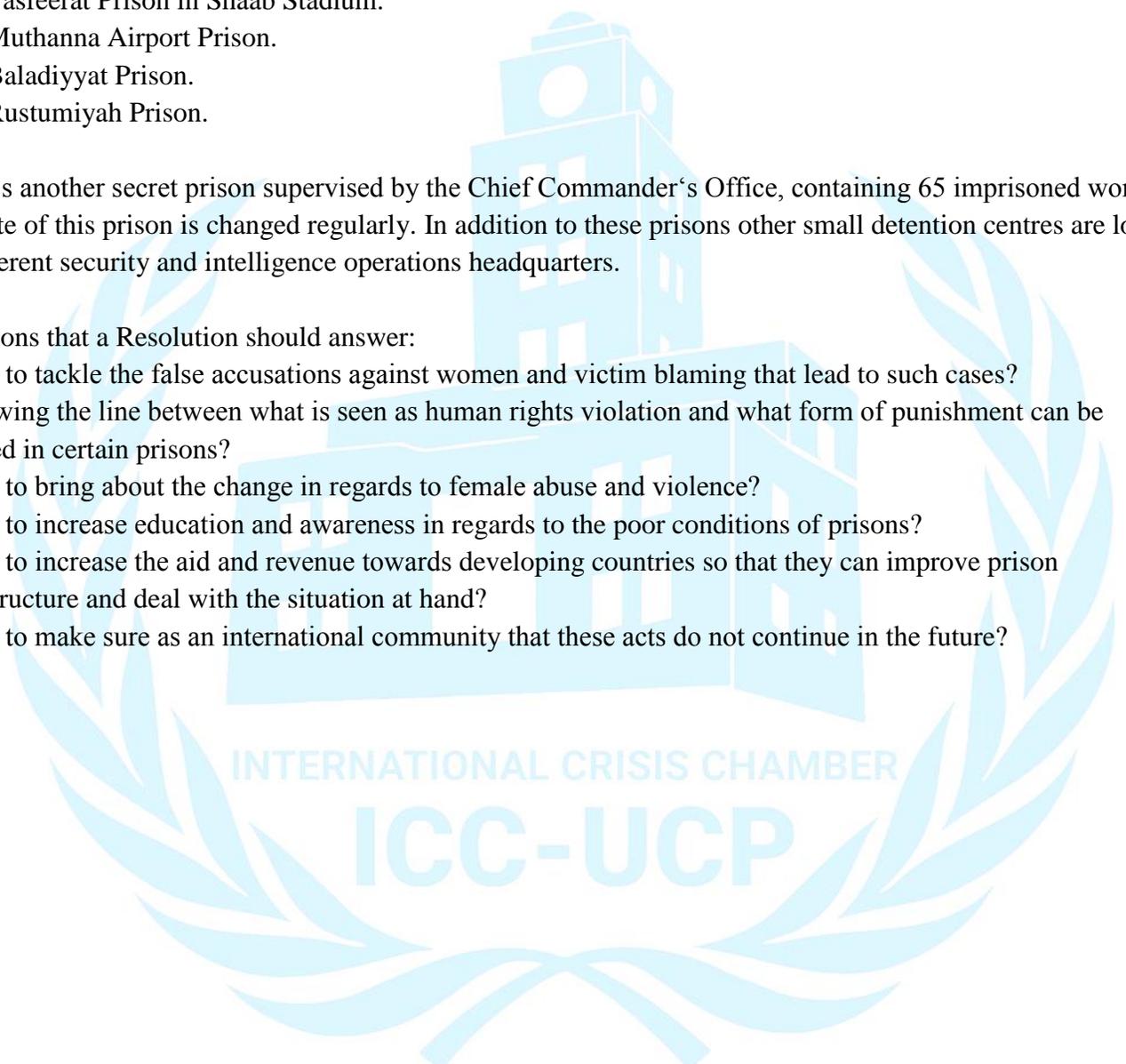
§ Al-Baladiyyat Prison.

§ Al-Rustumiyah Prison.

There's another secret prison supervised by the Chief Commander's Office, containing 65 imprisoned women. The site of this prison is changed regularly. In addition to these prisons other small detention centres are located in different security and intelligence operations headquarters.

Questions that a Resolution should answer:

- How to tackle the false accusations against women and victim blaming that lead to such cases?
  - Drawing the line between what is seen as human rights violation and what form of punishment can be allowed in certain prisons?
- How to bring about the change in regards to female abuse and violence?
- How to increase education and awareness in regards to the poor conditions of prisons?
- How to increase the aid and revenue towards developing countries so that they can improve prison infrastructure and deal with the situation at hand?
- How to make sure as an international community that these acts do not continue in the future?



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