

# Women in Lebanese Prisons: Facts and Perspectives\*

**“Punir ni plus qu’il n’est juste, ni plus qu’il n’est utile”\*\***

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This old and famous French adage seems to have become the motto adopted in relation to penalty sanction. In fact, “the basic aim of the sanction is not only any more to dissuade criminals from recidivism, but to rehabilitate them and prepare them to face society again and be reintegrated in it among the righteous and virtuous” (Becheraoui, n.d., in Arabic).

This gradual and positive development in the perception of sanctions could be attributed - at least partly - to the United Nations concern about ensuring a humane treatment to all individuals, including the incarcerated ones and its adoption of various declarations and conventions to ensure this process (see A. Khodr’s paper, pp. 10-14). The Council of Europe, in turn, adopted in 1950 the European Convention on Human Rights and Fundamental Freedoms, in 1973 the Standard Minimum Rules for the Treatment of prisoners and in 1987, the European Convention against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment.

All these international instruments emphasize essentially:

- non-discrimination;
- non-arbitrary arrest or detention;
- presumption of innocence, “unless found guilty by due process of law”;
- prohibition of torture, inhuman or degrading treatment or punishment;
- right to humane treatment and adequate physical conditions;
- right to adequate health care (Machover, July 28, 2000).

Where does Lebanon stand as far as these international human rights instruments are concerned? Despite the fact that Lebanon has ratified some of the related conventions, the situation prevailing in Lebanese prisons runs counter the seven points mentioned above. This is clearly evidenced in the survey undertaken -

with a Mercy Corps International grant - in the four Lebanese women prisons located in Baabda, Beirut (at Barbar Al-Khazen), Tripoli and Zahleh.

This survey is actually the outcome of a joint venture between an academic institution - (the Institute for Women’s Studies in the Arab World at the Lebanese American University) - a non-governmental organization (Dar Al Amal), and a governmental office in charge of Lebanese prisons, the Lebanese Gendarmerie. The close cooperation between these three bodies made the task possible and contributed definitely to the successful completion of the research.

The survey extended over a period of four months (February to May 1999) and covered 161 out of the 167 incarcerated women at that time, who accepted to cooperate. They were interviewed on the basis of a well-structured questionnaire and an open - ended one. The structured questionnaire focused essentially on five areas:

- information on the incarcerated women (nationality, religion, age, level of education, marital status, number of children .....);
- information on their family (parents, brothers and sisters, income level, educational level...);
- information on their status in prison (sentenced or detained), length of the sanction, reasons for incarceration...;
- judicial information, related to availability of lawyer, appearance in front of the court...;
- other information related to visits from family members, basic needs not provided in the prison (medication, cloth .....).

The findings of the survey made it possible to:

- draw a profile of the incarcerated woman;
- describe the conditions prevailing in the prisons;
- present a suggested plan of action both at the preventive and curative levels.

### I- Profile of the Incarcerated Lebanese Women

It is important to start by pointing out that the profile presented below is representative of the women interviewed at the time of the survey; and is affected – no doubt – by the turnover in the inmates and their number. As a result, the figures presented are only indicative of trends.

#### a. Nationality

Almost 80% of the women in Lebanese prisons are Arabs. The majority of them are Lebanese (60.9%), followed by Syrians (11.8%); while the Srilankees constitute the largest group among the non-Arabs (9.9% out of a total of 20.5%).

**Table 1. Distribution of Incarcerated Women by Nationality**

Nationality	Number	Percentage
<b>Arab Countries</b>		
Egypt	3	1.9
Lebanon	98	60.9
Palestine	6	3.7
Somalia	1	0.6
Syria	19	11.8
Tunisia	1	0.6
<b>Total</b>	<b>128</b>	<b>79.5</b>
<b>Other</b>		
Ethiopia	6	3.7
Ghana	3	1.9
Japan	1	0.6
Nigeria	1	0.6
Philippine	3	1.9
Russia	1	0.6
Srilanka	16	9.9
No Answer	2	1.2
<b>Total</b>	<b>33</b>	<b>20.5</b>
<b>Grand Total</b>	<b>161</b>	<b>100.0</b>

#### b. Religion

Slightly more than two thirds (67.7%) of the incarcerated women are Muslim while 26.1% are Christian, 3.7% are Buddhist, and 2.5% failed to answer this question.

#### c. Age

*A.H. (16 years old at the time of the interview) was pregnant and traumatized when interviewed. Her husband was also convicted and served a sentence at the Roumieh prison. She claimed she did not know why she and her husband were arrested.*

Women prisoners are relatively young. Almost half of them are 30 years old and younger, with the highest concentration (slightly more than one third) falling in the age group 22-30 years followed by the 31-40 year age group.

#### d. Level of Education

A relatively high level of illiteracy (slightly less than one third) prevails among incarcerated women, with the highest percentage of illiterates falling in the age group 31-40 years (32.0%), followed by those below 20 years of age (20.0%). Almost one fifth of them have reached the intermediate and secondary level of education (19.9% and 18.0% respectively), while 5.0% are of a university level.

*L.S.M. (30 years) is a university graduate who had been arrested under the claim that she had killed her husband. "I have married my husband against his parents' wishes. I was in the adjacent room feeding my daughter when my husband committed suicide. He was a drug addict. My in-laws, who hated me, accused me of having killed their son".*

Babies are allowed to remain with their mothers as long as they are breast fed

**Table 2. Distribution of Incarcerated Women by Level of Education and Age Group**

Age Group	Illiterate		Read & Write		Elementary		Intermediate		Secondary		University		No Answer		# of Women	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
<22	10	20.0	1	4.0	2	13.3	6	18.8	4	13.8	-	-	-	-	23	14.3
22-30	9	18.0	9	36.0	6	40.0	13	40.6	14	48.4	3	37.5	2	100.0	56	34.8
31-40	16	32.0	12	48.0	3	20.0	7	17.2	5	37.5	3	37.5	-	-	46	28.6
41-50	7	14.0	2	8.0	1	6.7	5	15.6	3	10.3	1	12.5	-	-	19	11.8
>50	8	16.0	1	4.0	3	20.0	1	3.1	3	10.3	1	12.5	-	-	17	10.5
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>25</b>	<b>100.0</b>	<b>15</b>	<b>100.0</b>	<b>32</b>	<b>100.0</b>	<b>29</b>	<b>100.0</b>	<b>8</b>	<b>100.0</b>	<b>2</b>	<b>100.0</b>	<b>161</b>	<b>100.0</b>
<b>%</b>		<b>31.1</b>		<b>15.5</b>		<b>9.3</b>		<b>19.9</b>		<b>18.0</b>		<b>5.0</b>		<b>1.2</b>		<b>100.0</b>

**e. Family Background**

Incarcerated women belong to large families: 31.7% of them have between 4 to 6 siblings; while almost the same percentage (31.1%) have more than seven.

Although no statistical information was provided by the prisoners on the economic status of their families, anecdotal evidence seems to indicate that they belong to the lower socio-economic strata in the country.

In addition, the educational level of the incarcerated women's family is quite low, particularly that of their mothers, with an illiteracy rate almost double that of their fathers.

**Table 3. Educational Level of the Incarcerated Women's Family**

	Mothers		Fathers		Siblings	
	No.	%	No.	%	No.	%
Illiterate	74	46.0	38	23.6	107	14.8
Read & write	29	18.0	41	25.5	141	19.5
Elementary	4	2.5	6	3.7	99	13.7
Intermediate	9	5.6	9	5.6	135	18.7
Secondary	6	3.7	9	5.6	83	6.7
University	-	-	3	1.8	48	6.7
No answer	39	24.2	55	34.2	109	15.1
<b>Total</b>	<b>161</b>	<b>100</b>	<b>161</b>	<b>100</b>	<b>722</b>	<b>100</b>

**f. Marital Status**

*"My mother forced me to marry a mentally-retarded man, when I was 13... I was sexually abused by my father-in-law more than once. I got pregnant and I think the child was his. I delivered on my own, and killed my new-born daughter, because I did not want her to live the way I have been living" (L.F., 17 years, at the time of the interview).*

48.4% of the incarcerated women are married, almost one fourth (23.6%) are single, while the percentage of widowed and divorced is 13.7% and 11.2% respectively. More than one third of the divorced prisoners (37.5%) reported that their husbands left them to marry another woman; 18.7% left their spouses because they were abused.

The bulk of the ever-married women (58.4%) have less than three children, followed by those who have between 4 and 6 children (35.6%), while 6.0% of them have more than seven children. Slightly over one third (34.8%) of their children are aged between 4 and 10 years, while one fifth falls in the 11-15 years age group and around 17% in the 16-20 years and above groups. Three of the detained women were pregnant at the time the survey was conducted. It is important to note; in this respect that the babies are allowed to remain with their mothers as long as they are breast fed. If there is no one to claim them, they are sent to the SOS village and the mother is made to sign a paper giving

them up. The mother of one of these babies had to organize a night watch team to ensure his safety because of the presence of two psychologically unstable women in the same room.

The large majority of the incarcerated women's children (86.4%) do not work. Those who do, however, are involved in jobs which require simple skills, if any. They work as peddlers, or in groceries, shoe shops, garages.... The range of income they earn per month varies between LL.100,000 and LL.300,000 (\$66 to \$200).

It is disheartening to report that one fifth of the incarcerated women do not know the current residence of their children and that more than half of them do not want or cannot get their children back once released, because of the uncertainty of the future. This is aggravated further by the fact that 21.2% of these children live on their own.

I have not sat on a chair for the last eight years"

**Table 4. Current Residence of the Incarcerated Women's Children**

	No.	%
Do not know	64	20.3
Step father	4	1.3
Husband	73	23.1
Her parents	51	16.1
In Laws	41	13.0
Orphanage	16	5.0
Living alone	67	21.2
<b>Total</b>	<b>316</b>	<b>100</b>

**g. Husbands' Profile**

Slightly more than half (50.8%) of the incarcerated women's husbands are Lebanese, while 20.8% are Syrian. Two thirds of them (66.6%) are Moslem; while 21.7% are Christian. Almost one third of them (32.5%) falls in the 31-40 year age group, followed by 27.5% in the 22-30 year group.

As for their educational level, when compared to that of their wives, it is lower at the illiteracy level (20.0%), higher at the "read and write" (19.2%) and at



Joseph Donato, President of Dar Al-Amal and women inmates during the graduation ceremony at Baabda prison

the elementary levels (12.5%), lower at both the intermediate and secondary levels (14.2% and 10.8% respectively) and higher at the university level (7.5%).

It is significant to note that 44% of the husbands of the incarcerated women have a criminal record and 35% of them are presently detained. This holds true also for the “fiancés” of the two engaged prisoners.

At the time of the survey, 37.5% of the husbands did not work and those who did (56.7%) had very unstable incomes. A very small percentage of them (18.0%) provided financial support to their families.

#### **h. Economic Status of Incarcerated Women**

It is evident from the above evidence that, prior to their incarceration, women had to join the labor market because of economic need. In fact, almost 70% of them worked in jobs that did not require specific skills or high levels of education: 43.8% of them were house-helpers with a high concentration of those in the age groups below 40 years; while 41.1% were employees at the lowest echelons with a higher concentration for those whose age is 40 years and above.

**Table 5. Distribution of Incarcerated Women by Age Bracket and Nature of Work**

Age Bracket	Work	Number	Percentage
< 21			
	Agriculture	2	8.7
	Employee	9	39.1
	House-help	10	43.5
	Teacher	-	-
	Other	2	8.7
21-30			
	Agriculture	1	2.9
	Employee	9	26.7
	House-help	19	55.9
	Teacher	2	5.9
	Other	3	8.8
31-40			
	Agriculture	-	-
	Employee	15	42.8
	House-help	18	51.4
	Teacher	-	-
	Other	2	5.7
41-50			
	Agriculture	-	-
	Employee	8	72.7
	House-help	1	9.1
	Teacher	-	-
	Other	2	18.2
> 50			
	Agriculture	-	-
	Employee	5	55.6
	House-help	1	11.1
	Teacher	-	-
	Other	3	33.3
	<b>Total Employed</b>	<b>112</b>	<b>69.6</b>
	<b>Unemployed</b>	<b>49</b>	<b>30.4</b>
	<b>Grand Total</b>	<b>161</b>	<b>100</b>

The income they earned spread over a range that varied between LL.50,000 and LL.2,000,000 (\$33 and \$1333) per month, with the highest concentration in the LL.150,000 – LL.300,000 (\$100-\$200) income bracket (64.6%); and the lowest in the LL.1,000,000 – 2,000,000 (\$666-\$1333) bracket (3.7%). It should be noted here that the minimum salary in Lebanon is LL.300,000 (\$200) per month.

The highest income (at times LL.150,000 (\$100) / day) was earned by an illiterate 48-year bar dancer who had been arrested for drug trafficking and prostitution, while the lowest (LL.15,000/day) was earned by a young woman who worked sporadically as a house-help.

**i. Nature of Crime and Sentence**

Only 14.3% of the women had been arrested before. The major crimes for their incarceration are, by order of frequency: man slaughter (24.2%), prostitution (21.2%), theft (16.1%), drug use and trafficking (14.9%) and forgery (11.8%).

Prostitution is the most recurrent among those aged less than 22 years and in the 22-30 years age group, while man slaughter is most prevalent in the 22-30 years and 31-40 years age groups and is equally split between them (11 cases in each of these brackets out of total of 39).

*A.K. is 46 years old and is married to a much older man. She is serving a 20 year sentence for having killed with the help of her lover- who was also her daughter's lover – her husband.*

*M.H. (38 years old) is the mother of four children. The eldest is 14 years old, while the youngest – a girl – is 11 months old and lives with her in prison. Her husband is also incarcerated. She has already served a first sentence (7 years), but was arrested again because she went back to prostitution and drugs.*

A relatively small percentage (28.6%) of the incarcerated women have been sentenced; with the 3-4 year period of detention, being the most common one (table 6); while 71.4% are detained (21.7% of them have been in jail for one year or more) waiting to be sentenced (table 7).

**Table 6. Sentenced Women by Duration of Sentence**

Duration	No.	Percentage
5- 10 months	4	8.7
1 year	6	13.0
2 years	2	4.35
3 – 4 years	17	37.0
5 – 9 years	5	10.9
10 – 15 years	7	15.2
20 years	1	2.2
Life imprisonment	4	8.7
<b>Total</b>	<b>46</b>	<b>100.0</b>

**Table 7. Detained Women by Period of Detention**

Period	No.	Percentage
< 1 month - 1 month	39	33.9
2 – 3 months	21	18.3
3 – 4 months	10	8.7
5 – 6 months	5	4.4
More than 6 months	15	13.0
1 year or more	25	21.7
<b>Total</b>	<b>115</b>	<b>100.0</b>

It is evident from what has been said above that women in Lebanese prisons come from large families and belong to the low socio-economic strata. They are relatively young, not highly educated or skilled. The married ones among them have had a hard time taking care of their families, their husbands having often a criminal record and unstable sources of income. Despite the fact that most of them were employed prior to their incarceration, their incomes were minimal and their working status quite low. In addition, they are detained for a very long time before being sentenced.

**II- Conditions Prevailing in the Women Prisons**

**• Living Conditions**

All the prison premises are not meant to accommodate prisoners. They are located either on ground floor flats in residential buildings or in parts of governmental buildings. It should be indicated here that the Tripoli prison has been moved recently into a new locale, specifically built for that purpose.

The prison cells are very small and, on average, twenty women live in each one of them. They are not equipped with adequate lighting, proper ventilation or hygienic bathrooms. Minors and adults share the same cells, which is a serious violation of the standards set in international instruments.

*In the Baabda prison, A.C. who was arrested on grounds of man slaughter and was later on released with no charges – took the initiative of protecting the detained adolescents. Having passed through this phase during her incarceration, she did not want them to have the same experience. She acted like a mother to them and managed to keep them from mingling with detained women having committed such crimes.*

It is important to note also in this respect, that the same holds true for detained and convicted women; i.e. they share the same living area. This goes against the presumption of innocence until proven guilty which is a



“fundamental and well-established due process right” (Article 11 of the UN Universal Declaration of Human Rights and Article 14 of the International Covenant of Civil and Political Rights). “In the context of prisoners’ rights, it implies that un-convicted prisoners benefit from a special régime which, inter alia, protects their right to due process and requires them to be accommodated separately from sentenced prisoners and in special conditions, e.g. own clothes, doctor ... ” (Machover, D. July 2000).

Having no beds to sleep on, and in most cases, no chairs to sit on, each prisoner is provided with a ragged 90 centimeter sponge mat, to use as a bed at night and as a chair during the day. It is worth reporting that when the Institute for Women’s Studies in the Arab World started the implementation of training sessions for income generating activities in the Baabda prison in 1994-1995, and brought in some plastic chairs, M.N. roamed around carrying hers. When asked why she was doing it, she answered with tears in her eyes: “I am afraid to lose it, I have not sat on a chair for the last eight years”.

To make these miserable living conditions even worse, the prisoners do not have recreational facilities. There is no room for them to move around and no access to open space.... They either sit or lay in their cells all day in their nightgowns, smoke excessively, take tranquilizers, fight or cry their worries away. With the exception of the Baabda prison – and occasionally that of Barbar Al-Khazen – they do not engage in activities that would help them serve their sentence productively and prepare them for reintegration into their social milieu, once released. It is important to note, however, that whenever they get involved in such activities (join a literacy program, a sequin embroidery training...), they become less apathetic, get dressed and ready for their lessons, acquire an “esprit de corps”...

*S.K., who was incarcerated for theft, was a first rate professional sequin embroiderer. She was asked to be the sequin embroidery trainer at the Baabda prison and was paid the salary that had been earmarked for that purpose to an outside trainer. At the end of the first month, she donated her first salary to buy basic stuff needed badly by her and her fellow inmates (toilet paper, soap, toothpaste, medication, underwear...). It is worth noting that the quantity of goods bought exceeded by far that which could have normally been acquired with the money available; and this because the wholesalers – who were very impressed by her story – gave the representatives of the prison very high rebates.*

Incarcerated women are also very poorly fed. One meal, often of poor quality, is served per day and there

is no adequate storage place for the food to be kept fresh and adequate for consumption. Medical care is practically nonexistent, not to mention the scarcity of medication. Women are sent to hospitals or attended to by a general practitioner only in case of emergency.

#### • Judicial Assistance

Despite the fact that the majority of the incarcerated women (64.6%) have attorneys, these are rarely dedicated ones. In fact, few of the detained women are helped financially by their families, and hence cannot afford attorneys able to follow up their cases and work towards their release. Those who are abandoned by their families are sometimes assigned attorneys by the government, who are often not consistent in their work, and do not, most of the time, attend the hearings.

It is important to note in this respect that the Beirut Bar Association has established in 1993 the Legal Aid Commission, whose main task is to provide legal advice to any individual whether Lebanese, foreigner or stateless – in any field, civil, criminal ... - in case he/she cannot afford to hire an attorney. Claim forms are put at the disposal of the prisoners and are filled by the social workers at the prisons. This lack of or inadequate judicial assistance contributes to the extension of the detention period. As a result, innocent women are detained and are not attended to by anyone. There are cases where they serve a prison sentence of two years or more to be finally released with no charges whatsoever.

In addition, although almost 2/3 (63.4%) of the incarcerated women have appeared before the court, this does not necessarily mean that their case will be quickly settled. Very often, either the witnesses, or the attorney or the judge do not show up.

#### • Visits

Women prisoners are entitled to visits twice a week. Many of them have, however, been abandoned by their families. This is particularly true in the case of women detained because of prostitution (73.1%), drug addiction (27.3%), and manslaughter 22.5%.

I delivered on my own,  
and killed my new-born  
daughter, because  
I did not want her  
to live the way  
I have been living

**Table 8 - Frequency of Visits by Type of Crime Committed and Relation to the Detained Woman**

	Type of Crime				
	Theft	Drug Use & Trafficking	Prostitution	Manslaughter	Forgery
<b>Visitors</b>					
No one	4	6	19	9	3
Husband		1	3	1	1
Family	2	3		7	4
Son	1				
Daughter		1	1	1	
Parents	5	1		2	
Father			2		
Mother	1	2		3	1
Mother and sister		2	1	1	
Brother		1		6	
Sister		1		7	
Mother in law		1			
Sister in law		2			
Friend			1	1	
Aunt					
Cousin			1		
<b>Intervals between visits</b>					
Once a week	1	6	2	7	
Twice a week		1	2	2	
Three times a week	2			2	2
Once in a month	5	4		6	
Once in two months				1	
Twice a year	1	1		2	

### Prisons' Management

The number of personnel managing these prisons is relatively low in comparison to the number of detainees. This personnel consists of a woman warden assisted by three or four female guards. The prisons' premises are under the jurisdiction of the internal security forces.

Women in Lebanese prisons are obviously deprived of their basic human rights and measures have to be taken to improve their lot within the prisons and prepare them to reintegrate society after their release.

### III. Suggested Plan of Action

Action could be envisaged at the curative and preventive levels.

#### • At the Curative Level

One of the most imperative issues to be addressed relates to the location of the prisons and the living conditions prevailing in them. Women prisons cannot be located in regular buildings or in army barracks – as is the case in the Barbar El-Khazen prison – and be guarded by men. In addition the rights of every detainee should be pro-

ected by law. In Lebanon, the absence of adequate legislation coupled with the lack of and enforcement of laws, when available, have been very detrimental and harmful to the detainees. It is imperative to separate the juveniles from adults and the detained from convicted.

Furthermore, one of the most important problems faced by women prisoners is the lack of activities that would enable them to use their incarceration time in a productive manner and prepare them to join the labor force once released. Thus, a training program in skills that would enable them to produce marketable goods could partly solve this problem.

For that purpose, a small market survey was undertaken along with the survey in the four prisons. It covered twenty five businesses in the Beirut area to which some sample items, prepared by prisoners, who had previous training in sewing, were proposed. Twenty two of the interviewees showed interest in the idea, while the remaining three refused to participate in such a venture either because they had their own factories or because they imported their products.

The majority of those who indicated their willingness to buy the products emphasized the following criteria for their participation:

- good quality items;
- high standard of finish;
- originality of design.

In addition, more than half of them expressed the desire to have specific items designed to suit their needs and tastes.

It is important to note here that the social acceptance of the program varies among business concerns. The ones who demonstrated clear support for the program were the “artisanat” stores that are already involved with similar development and social programs. They insisted however, on developing new items that are not generally available on the market at relatively lower prices. No problem would be encountered regarding the latter, given the fact that there are almost no fixed costs and that the incarcerated women will be receiving only part of the selling price of the items.

The implementation of such a program would obviously help improve the self-image of the prisoners and will enable them to earn some money for which they are in



A woman inmate reciting a poem during the graduation ceremony at Baabda prison

dire need while incarcerated and upon their release. Initial funding for this project should, however, be secured until the program becomes self-supporting.

In addition the following suggestions, among many others, could be implemented:

- the introduction of a literacy program;
- the organization of guidance sessions on health issues, civil rights...
- the improvement of the living conditions within the prisons.

It is also recommended that a coalition of NGOs be formed for the referral of women prisoners, once they are released. Such a coalition would be in charge of developing a community – based rehabilitation program that would lead to their smooth reintegration in their social milieu.

#### • At the Preventive Level

Action should not be limited to the curative level. It is important to extend it to the preventive level through:

- increasing the awareness of people regarding the problems faced by women prisoners;
- advocating for the issues raised;
- creating a coalition with NGOs who work at the level of prevention among the high risk groups.

In fact, our challenge is to create a justice system that is sensitive to the special needs of incarcerated women. “A female’s sense of self is better developed in female-specific groups; the environment must be safe, trusting and supportive; whenever possible, the

environment should be as non-restrictive as possible; and cultural awareness and sensitivity should be promoted” (James A. Gondles Jr., February 2001).

#### Endnotes

- \* I would like to express my deep gratitude to two pioneers who have been very instrumental in improving the status of incarcerated Lebanese women, namely Anita Nassar, Program Officer at IWSAW and Hoda Kara, General Coordinator of Dar Al-Amal. Without their dedication and relentless efforts, the survey on “Women in Lebanese Prisons” would have never seen the light.
- \*\* “Punish not more than is fair and not more than is useful.

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