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Oral Statement by Friends World Committee for Consultation (Quakers), an international non-governmental organisation in General Consultative Status with ECOSOC, to the UN Commission on Human Rights (60<sup>th</sup> session)

Agenda item 16: Report of the Sub-Commission on the Promotion and Protection of Human Rights

Delivered by Rachel Brett, Quaker UN Office, Geneva, on Tuesday 13 April 2004

### **Women in Prison**

Friends World Committee for Consultation (Quakers) welcomes Decision 2003/104 of the Sub-Commission on the Promotion and Protection of Human Rights by which it entrusted Ms Florizelle O'Connor with the preparation of a working paper on women in prison, including issues relating to the children of women in prison, and requested her to submit it to the Sub-Commission's fifty-sixth session.<sup>1</sup>

Following this, the UN General Assembly resolution A/RES/58/183 on Human Rights in the administration of justice invited "Governments, relevant international and regional bodies, national human rights institutions and non-governmental organisations to devote increased attention to the issue of women in prison, including issues relating to the children of women in prison, with a view to identifying the key issues and ways in which they are addressed and note[d] the proposal of the Sub-Commission..."

Although both men and women are subjected to imprisonment, little consideration has been given to the different needs and problems of imprisoned women as opposed to men. This reflects the fact that women prisoners are a very small minority of the over all prison population. According to the International Centre for Prison Studies,<sup>2</sup> the percentage of female prisoners within the prison population varies from 0-26.6 percent, with only nine countries reported as having over 10 percent and most being under 5 percent. The problematic issues arising from women's imprisonment are compounded by the failure to take account of the fact that many imprisoned women are the sole or main carer for minor children, whose lives are therefore also affected. Foreign or indigenous women often

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<sup>1</sup> See also our written statement on this subject, contained in E/CN.4/2004/NGO/1

<sup>2</sup> [www.kcl.ac.uk/depsta/rel/icps](http://www.kcl.ac.uk/depsta/rel/icps): Kings College London International Centre for Prison Studies: World Prison Brief statistics (last modified 11 January 2004)

face particularly complex challenges with regard to family contact and support while imprisoned.

In recent years, there has been increased recognition of the need to apply a gender perspective to policies and programmes. The prison system appears to have lagged significantly in this respect. It therefore seems timely and appropriate that the Sub-Commission on the Promotion and Protection of Human Rights should undertake this study, the scope of which should cover

- pre-trial detention and imprisonment following trial of women and female juveniles (under 18 years of age), including in probation hostels or similar facilities in which they are required to reside whether instead of prison or in the transition back to the community; and
- issues arising in relation to maternity care, childbirth, and babies and children of imprisoned women, both those in prison with their mothers and those outside the institution.

The purpose of the study – as suggested by the General Assembly - should be to identify the key issues which arise for such women and girls, and their children, and to gather information on ways in which these issues have been, or could be, addressed. The assistance of relevant United Nations and regional bodies should be sought, as well as that of Governments, ombudsmen or other mechanisms which oversee and/or visit prisons/places of detention, and international, regional and national non-governmental organisations.

Thank you, Mr Chairman