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reform worldwide

Statement by Penal Reform International (PRI)

21st Session of the UN Commission on Crime Prevention and Criminal Justice

Agenda item 8: Use and application of United Nations standards and norms in crime prevention and criminal justice, 27 April 2012

Under standing agenda item 8 on existing UN standards and norms in the field of crime prevention and criminal justice, including their use and application, PRI would like to draw the delegates' attention to the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, adopted by the UN General Assembly on 21 December 2010 (A/RES/65/229).

Commonly referred to as "the Bangkok Rules", these standards seek to rectify a gap that until then existed in international standards in the area of criminal justice. Until their adoption, standards had not properly reflected the specific needs of girls and women, both as for conditions of detention and with regard to alternatives to imprisonment.

While many problems faced in criminal justice systems are similar for men and women, specific challenges need to be considered for women. However, women's characteristics and needs as subjects of the criminal justice system have tended to remain unacknowledged or little understood.

To name but a few characteristics for female offenders: The small number of women prisoners usually means fewer prisons for women and girls and greater distances from their homes and families. At the same time, women often are the sole or primary carer of young children. Special arrangements and more flexibility are therefore required in order for mothers to receive visits by their children and other family members - which is also a crucial component of reintegration. Personal hygiene is another issue where specific needs for women and girls arise, including the provision of sanitary products and regular access to toilets. The impact of strip-searches on women is disproportionately greater than on men. Women prisoners are more likely to suffer from sexually transmitted diseases, and from mental health problems, and they are particularly vulnerable to sexual assault by guards and male prisoners.

The Bangkok Rules seek to introduce a set of standards to compensate for the lack of reflection of such gender-specific needs in other international instruments governing criminal justice.

Since their adoption, a number of states have started to adopt measures in order to put these Rules into practice. However, a lot remains to be done to make the Rules a reality for women in conflict with the law across the globe.

PRI would also like to use this opportunity to inform the distinguished members of the Commission that our organisation is about to publish a Guidance Document on the Bangkok Rules in order to support and facilitate their implementation. The Document will be structured along the thematic chapters enshrined in the Bangkok Rules and will seek to draw on the rationale behind the provisions of the Bangkok Rules, to lay out which

actions need to be taken on a legislative and practical level and to which actors provisions are addressed. It will also illustrate good practices.

Publication of the Guidance Document will be combined with an "Index of Compliance" which PRI seeks to develop in order to enable States to benchmark and measure their progress in implementation.

Both documents will be made available as a working document at first, seeking to receive feedback from all relevant stakeholders on possible amendments and enhancements. Input gathered in this context will be incorporated into the text between October 2012 and February 2013.

PRI hopes that these publications will be a useful contribution for the Bangkok Rules turning into reality in the criminal justice systems across the globe. PRI will distribute the working documents to Permanent Missions in Vienna and invites the members of the UN Commission on Crime Prevention and Criminal Justice to comment on the working documents, and to pass them on to relevant stakeholders in their countries.

PRI, 27 April 2012