

UN Women

Violence Against Women in Detention

Overview

With the rise of global human rights concerns, violence against women in detention emerges as a pressing challenge. Violence against women in detention refers to any form of gender-based physical, sexual, or psychological abuse experienced by women while incarcerated, including acts such as rape, coercion, humiliating treatment, and emotional manipulation.¹ This issue violates fundamental human rights and undermines international law. Women in detention are often subjected to degrading treatment, denied access to healthcare, and exposed to sexual violence by staff or other detainees. Recognizing the severity of this issue, UN Women has created counter-initiatives including programs to protect the rights of affected individuals, emphasizing its commitment to fostering a collective and accountable response.^{1,2}

This issue is not limited to one region or regime. From overcrowded prisons in Latin America to politically motivated detentions in the Middle East, women face systemic abuse that often goes unreported.³ The lack of gender-sensitive policies and oversight mechanisms allows these violations to persist. International bodies, including UN Women, have called for urgent reforms to address the unique vulnerabilities of women in detention.⁴

¹ Office of the United Nations High Commissioner for Human Rights. Declaration on the Elimination of Violence Against Women, 1993.
<https://www.ohchr.org/en/documents/thematic-reports/ahrc5931-accelerating-efforts-eliminate-all-forms-violence-against-women>

² Office of the United Nations High Commissioner for Human Rights. A/HRC/59/31, 2023.
<https://docs.un.org/en/A/HRC/59/31>

UN Women

The United Nations Entity for Gender Equality and the Empowerment of Women, also known as UN Women, is the UN agency responsible for promoting and protecting the rights of women. One of their priorities is promoting women's leadership and political participation. This is important because equality in politics is one of many steps to achieve full gender equality, one of the 2030 Sustainable Development Goals.³

UN Women and Violence in Detention Against Women

In the context of violence against women in detention, the UN Women recognizes the connection between incarceration and gender-based human rights violations, especially in migrant women.⁵ UN Women has supported initiatives such as the UN Women-Executive Board statements urging Member States to eliminate gender-based violence in places of deprivation of liberty, and it routinely integrates detention-related vulnerabilities into its broader agenda on ending violence against women.⁶ The UN has also endorsed initiatives such as Resolution A/HRC/59/31, which calls on member states to eliminate violence against women in criminal justice detention and implement gender-sensitive reforms.⁷

UN Women also supports the implementation of the Bangkok Rules adopted by the UN general assembly in 2010, which provide gender-specific standards for the treatment of women

³ UN Women. Women and the Sustainable Development Goals (SDGs), 2015.

<https://www.unwomen.org/en/news/in-focus/women-and-the-sdgs>

⁴World Organisation Against Torture. The UN Acts to Protect Women and Girls in Detention, 2023.

<https://www.omct.org/en/resources/statements/the-un-acts-to-protect-women-and-girls-in-detention>

⁵ Office of the United Nations High Commissioner for Human Rights. Declaration on the Elimination of Violence Against Women, 1993.

<https://www.ohchr.org/en/documents/thematic-reports/ahrc5931-accelerating-efforts-eliminate-all-forms-violence-against-women>

⁶ UN Women. UN-Women Executive Board, 2026. <https://www.unwomen.org/en/executive-board>

⁷ Office of the United Nations High Commissioner for Human Rights. A/HRC/59/31, 2023.

<https://docs.un.org/en/A/HRC/59/31>

prisoners.⁸ These rules emphasize dignity, privacy, and access to healthcare. In addition, the UN has partnered with NGOs like OMCT to monitor detention conditions and advocate for survivor-centered policies.⁹ Through these efforts, UN Women seeks to address the challenges presented by detention-based violence while upholding and protecting women's rights on a global scale.

Human Rights Violations and Rule of Law

The abuse of women in detention undermines basic rights such as the right to life, liberty, and security. The lack of accountability for perpetrators erodes the foundations of justice, creating an environment where human rights abuses can occur. Addressing this issue requires a commitment to uphold international human rights standards and ensure that the rule of law prevails. According to UNODC, many women enter detention already traumatized by domestic violence or poverty, and incarceration exacerbates their vulnerability.¹⁰

The failure to protect these women violates international treaties such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Universal Declaration of Human Rights.¹¹ Violence in detention is often underreported due to fear of retaliation, stigma, and lack of legal support. In many cases, women are denied access to legal counsel, medical care, and basic hygiene. These conditions not only violate international law but also perpetuate cycles of trauma and marginalization. UN Women emphasizes the need for transparency, independent oversight, and survivor-centered policies to address these violations.

⁸Penal Reform International. Bangkok Rules, 2010. <https://www.penalreform.org/resource/bangkok-rules/>

⁹ International Laws and Policies to Prevent and Intervene in Violence Against Women. <https://vawnet.org/sc/international-laws-and-policies-prevent-and-intervene-violence-against-women>

¹⁰ UN Women. Women and the Sustainable Development Goals (SDGs), 2015. <https://www.unwomen.org/en/news/in-focus/women-and-the-sdgs>

¹¹ International Laws and Policies to Prevent and Intervene in Violence Against Women. <https://vawnet.org/sc/international-laws-and-policies-prevent-and-intervene-violence-against-women>

Historical Background

The issue of violence against women in detention has grown alongside the global rise in female incarceration. Between 2000 and 2022, the number of women in prison increased by over 60%, compared to a 22% increase for men.¹² Many of these women are imprisoned for non-violent offenses, often connected to poverty, drug use, or survival crimes. Most detention systems were designed for men, which means women's specific needs, like reproductive healthcare, protection from sexual abuse, and mental health services are often ignored.

The Bangkok Rules, adopted in 2010, were created to address this gap.¹³ They set standards for the treatment of women prisoners, emphasizing privacy, dignity, and access to healthcare. However, implementation is uneven. In many countries, prison staff lack training on gender-sensitive practices, and facilities are not equipped to meet women's needs. In the United States, the incarceration of women, especially women of color, reflects systemic inequality and over-policing. In Southeast Asia, women are often imprisoned for drug-related offenses under coercion. These patterns show how social and economic inequalities disproportionately affect women and girls.

Case Study: Brazil

Brazil has one of the fastest-growing female prison populations in the world. Over 80% of incarcerated women are mothers, and many are imprisoned for drug-related offenses under

¹² Penal Reform International. Global Prison Trends 2023. <https://www.penalreform.org/resource/global-prison-trends-2023/>

¹³ Penal Reform International. Bangkok Rules, 2010. <https://www.penalreform.org/resource/bangkok-rules/>

coercion or economic desperation. Reports from Human Rights Watch document widespread sexual abuse, lack of medical care, and overcrowding in women's prisons.¹⁴

Despite being a signatory to the Bangkok Rules, Brazil has struggled to implement gender-sensitive reforms. Pregnant detainees are often shackled during childbirth, and access to gynecological care is limited. The government's failure to provide adequate oversight has led to systemic neglect and abuse. Advocacy groups have called for urgent reforms, including alternatives to incarceration for non-violent offenses and improved healthcare services.

In addition, Brazil's prison system has been criticized for its use of solitary confinement and lack of mental health services. Women with histories of trauma are often retraumatized by harsh conditions and abusive staff. The Inter-American Commission on Human Rights has urged Brazil to improve prison infrastructure and ensure compliance with international standards.¹⁵

Case Study: Afghanistan

According to Amnesty International, in Afghanistan, women are frequently imprisoned for "moral crimes" such as fleeing forced marriages or domestic abuse. These women are often detained without due process and subjected to sexual violence, forced virginity tests, and denial of legal representation.¹⁶

Cultural stigma and weak legal protections make it difficult for survivors to seek justice. Although international pressure led to some reforms between 2001 and 2021, the Taliban's return

¹⁴ Human Rights Watch. Brazil: Women in Prison, 2022.

<https://www.hrw.org/news/2022/03/08/brazil-women-prison>

¹⁵ Inter-American Commission on Human Rights. Report on the Human Rights of Women Deprived of Liberty in the Americas, 2020. <https://www.oas.org/en/iachr/reports/pdfs/WomenDeprivedOfLiberty.pdf>

¹⁶ Amnesty International. Afghanistan: Women Imprisoned for 'Moral Crimes', 2021.

<https://www.amnesty.org/en/latest/news/2021/07/afghanistan-women-imprisoned-for-moral-crimes/>

to power has reversed many gains in women's rights. Female detainees now face increased risks of abuse, and human rights monitors have limited access to detention facilities.¹⁷

Women imprisoned for moral crimes are often housed with violent offenders, further endangering their safety. Legal aid is scarce, and many women are unaware of their rights. UN Women has called for increased international support to protect Afghan women and ensure access to justice.¹⁸

Gender-Based Detention and Coercion

There are instances under the umbrella of detention where women are held not for criminal offenses but as a form of political or social control. In these situations, motives stem from government instability, retaliation, or suppression of dissent. For example, in Iran, women protesting mandatory hijab laws have been detained without trial. In Egypt, female journalists and activists have been imprisoned for criticizing the regime.¹⁹

These cases differ from traditional criminal detention, as they reflect state-led efforts to silence opposition and reinforce patriarchal norms. In Nigeria, political kidnappings often target women in leadership roles. Boko Haram has abducted female politicians and activists, demanding ransoms or political concessions.²⁰ UN Women and other UN bodies have condemned such acts and advocate for stronger protections for women at risk. They promote monitoring mechanisms, support local human rights organizations, and encourage member states to implement legal safeguards that hold perpetrators accountable. Additionally, the UN works to

¹⁷ UN Women. Women and the Sustainable Development Goals (SDGs), 2015.

<https://www.unwomen.org/en/news/in-focus/women-and-the-sdgs>

¹⁸ International Laws and Policies to Prevent and Intervene in Violence Against Women.

<https://vawnet.org/sc/international-laws-and-policies-prevent-and-intervene-violence-against-women>

¹⁹ UN Women. Gender and the Prison System, 2022. <https://www.unwomen.org>

²⁰ Ibid.

provide training for law enforcement and detention staff on gender-sensitive approaches, aiming to prevent abuses and ensure that women's human rights are respected in all detention contexts.

These acts blur the line between detention and kidnapping, using incarceration as a tool of coercion. The Social Learning Theory suggests that when such tactics succeed, they are imitated by other groups, perpetuating cycles of abuse.²¹

Detaining for Political Benefit Involving Non-Monetary Incentives

Some cases of detention involve political leverage rather than monetary incentives. These include situations where governments detain women to gain concessions or retaliate against foreign actions. One example is the detention of female activists in Saudi Arabia following international criticism of its human rights record. Another case involves the imprisonment of women in Myanmar for participating in pro-democracy protests. These detentions serve as political statements and bargaining tools, often violating international law. Unlike cases involving rebel groups, these are state-sanctioned actions that require diplomatic and legal responses.²²

Governments must be held accountable for using detention as a political tool. UN Women encourages member states to adopt transparent legal processes, protect civil liberties, and ensure that detention is not used to suppress dissent. International cooperation and monitoring are essential to prevent abuse and promote justice.²³

²¹UN Women. Gender and the Prison System, 2022.<https://www.unwomen.org>

²² Office of the United Nations High Commissioner for Human Rights. Declaration on the Elimination of Violence Against Women, 1993.
<https://www.ohchr.org/en/documents/thematic-reports/ahrc5931-accelerating-efforts-eliminate-all-forms-violence-against-women>

²³ Office of the United Nations High Commissioner for Human Rights. A/HRC/59/31, 2023.
<https://docs.un.org/en/A/HRC/59/31>

Conclusion

Violence against women in detention is a complex issue that varies between countries and specific situations and must be handled with both urgency and precision. While UN Women works with its member states to promote gender equality, each individual nation must ensure the safety of its citizens and uphold international human rights standards. Delegates are urged to find ways in which their country is either being affected by or contributing to detention-based violence and work to end its threat.

Questions to Consider

1. How does your country perceive the threat of violence against women in detention and what measures has it implemented domestically to address this issue?
2. In what ways can international cooperation be enhanced to prevent and respond to detention-based violence?
3. How should UN Women balance the need for preventive measures with respect for national sovereignty?
4. If violence in detention does occur, what strategies can your country use in order to respond or intervene?
5. What role can UN Women play in promoting human rights and protecting individuals at risk of detention-based abuse?

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