logo_Pantone_out

# Human Rights Watch Submission to the UN Working Group on Discrimination Against Women in Law and Practice

# *Women and girls deprived of liberty*

# September 2018

Human Rights Watch welcomes the opportunity to provide input to the UN Working Group on the issue of discrimination against women in law and practice (the “working group”) as the working group prepares a report on women deprived of liberty. We appreciate the working group taking on this important topic.

This submission draws from Human Rights Watch’s extensive research on the rights of women and girls in a broad range of circumstances involving deprivation of liberty. The submission focuses first on the contexts in which deprivation of liberty of women and girls occurs, and then analyzes the characteristics and consequences of deprivation of liberty for two particularly vulnerable groups of women and girls—women and girls with disabilities and those with lesbian, bisexual and transgender identities.

We appreciate the working group’s commitment to take a comprehensive view of what circumstances can constitute a “deprivation of liberty.” While women and girls face serious human rights abuses in jails, prisons, juvenile detention, and immigration detention—and these abuses are often exacerbated by factors such a sexual orientation or gender identity and disability—there are many other contexts in which women and girls may face deprivation of liberty. These include: trafficking and sexual slavery; child and forced marriage; domestic violence; abusive forms of labor; refugee camps and reception centers for asylum-seekers; orphanages; nursing homes; and even women’s shelters. As you are aware, determining whether a person is being deprived of liberty requires a careful look at how restrictions on personal autonomy intersect with gender and other characteristics such as economic status, language and ability to communicate, ethnicity, disability, sexual orientation or gender identity, immigration status, age, and education level.

## Characteristics of different types of deprivation of liberty of women and girls

### Jails, prisons, juvenile detention and immigration detention

In addition to extensive research on abusive and unnecessary institutionalization of people with disabilities, detailed below, Human Rights Watch has also documented other circumstances in which women and girls have been unjustly deprived of liberty in violation of their rights.

These include detention of women’s rights activists in [Saudi Arabia](https://www.hrw.org/news/2018/09/11/saudi-arabia-free-right-drive-activists),[[1]](#footnote-2) Sudan,[[2]](#footnote-3) and [China](https://www.hrw.org/news/2015/04/14/china-drop-all-charges-against-feminist-activists?utm_medium=PANTHEON_STRIPPED&utm_source=PANTHEON_STRIPPED)[[3]](#footnote-4) for their political activities. In [Iran](https://www.hrw.org/news/2018/02/24/iran-stop-prosecuting-women-over-dress-code), women have been jailed for protesting against compulsory dress codes. In [Afghanistan](https://www.hrw.org/news/2016/05/25/afghanistan-end-moral-crimes-charges-virginity-tests),[[4]](#footnote-5) [Mauritania](https://www.hrw.org/news/2018/09/05/mauritania-rape-survivors-risk),[[5]](#footnote-6) [Sudan](https://www.hrw.org/news/2015/10/12/dispatches-sudans-war-women-and-girls),[[6]](#footnote-7) as well as in Gulf states and elsewhere we have documented the jailing of women and girls on charges of extra-marital sex, sometimes even when they report being raped. Pregnancy can serve as evidence. The reporting of rape itself can be deemed as an admission that sex took place, and women and girls may find themselves prosecuted if the authorities believe it was consensual and not rape. Consensual sex between adults should never be criminalized. In [Afghanistan](https://www.hrw.org/news/2013/05/21/afghanistan-surge-women-jailed-moral-crimes),[[7]](#footnote-8) even when courts do not find evidence that a woman or girl engaged in sex, they sometimes get long prison sentences for the “crimes” of “attempted” extra-marital sex or “running away.”

Human Rights Watch has documented the consequences of the criminalization of abortion in many countries, including [Ecuador](https://www.hrw.org/report/2013/08/23/rape-victims-criminals/illegal-abortion-after-rape-ecuador),[[8]](#footnote-9) [Peru](https://www.hrw.org/news/2008/07/09/peru-risk-women-denied-legal-abortions),[[9]](#footnote-10) [Kenya](https://www.hrw.org/news/2017/10/02/women-still-dying-unsafe-abortions-despite-law),[[10]](#footnote-11) [Argentina](https://www.hrw.org/report/2010/08/10/illusions-care/lack-accountability-reproductive-rights-argentina),[[11]](#footnote-12) [Mexico](https://www.hrw.org/report/2006/03/06/mexico-second-assault/obstructing-access-legal-abortion-after-rape-mexico),[[12]](#footnote-13) [Nicaragua](https://www.hrw.org/news/2007/08/29/nicaragua-blanket-ban-abortion-harms-women),[[13]](#footnote-14) and [Ireland](https://www.hrw.org/news/2010/01/28/ireland-abortion-limits-violate-human-rights).[[14]](#footnote-15) Criminal penalties for abortion in [many countries](http://worldabortionlaws.com/)[[15]](#footnote-16) around the world lead authorities to question, detain, and in some cases arrest and charge women and girls suspected of having abortions. Journalists and nongovernmental organizations in [Brazil](http://catarinas.info/brasil-registra-um-processo-por-autoaborto-todo-dia/#_ftn1),[[16]](#footnote-17) [Mexico](http://criminalizacionporaborto.gire.org.mx/#/),[[17]](#footnote-18) [Nicaragua](https://www.hrw.org/news/2017/07/31/nicaragua-abortion-ban-threatens-health-and-lives),[[18]](#footnote-19) and the [Dominican Republic](https://www.listindiario.com/la-republica/2018/02/18/503212/imponen-tres-meses-de-prision-a-mujer-se-habria-provocado-aborto),[[19]](#footnote-20) among others, have documented cases of women and girls being reported to authorities, subjected to preventive detention, or sentenced to time in prison for suspected abortion-related crimes. In extreme cases, such as [El Salvador](https://www.nytimes.com/2018/04/09/world/americas/el-salvador-abortion.html),[[20]](#footnote-21) even women and girls who seek medical attention for miscarriages have been sentenced to lengthy prison terms under laws that treat abortion as a crime.

[Research](https://s16889.pcdn.co/wp-content/uploads/2016/04/Women_who_kill_in_response_to_domestic_violence_Full_report.pdf)[[21]](#footnote-22) shows that many justice systems fail to give due consideration to mitigating factors in cases where women are accused of murdering their abusers, an issue Human Rights Watch has documented in countries including [Kyrgyzstan](https://www.hrw.org/report/2015/10/28/call-me-when-he-tries-kill-you/state-response-domestic-violence-kyrgyzstan)[[22]](#footnote-23) and [Sudan](https://www.hrw.org/news/2018/05/15/sudans-many-nouras).[[23]](#footnote-24) Human Rights Watch is currently conducting research on the situation of women in prison in Japan, where there have been increasing reports of elderly women intentionally seeking imprisonment because they are so isolated and unserved in the community. In the [United S](https://www.hrw.org/news/2017/10/11/california-new-laws-protect-children-youth)tates[[24]](#footnote-25) we have documented unduly harsh sentences for children convicted of crimes.

Migrants, refugees, and asylum seekers may be confined in a variety of facilities – including police stations, immigration or migration detention centers, refugee or displacement camps, and reception centers – upon arrival in a country and during reception or processing procedures. We have also documented the excessive use of immigration detention, including of children, by countries including [Thailand](https://www.hrw.org/report/2014/09/01/two-years-no-moon/immigration-detention-children-thailand),[[25]](#footnote-26) the [United States](https://www.hrw.org/report/2018/02/28/freezer/abusive-conditions-women-and-children-us-immigration-holding-cells),[[26]](#footnote-27) and [Australia](https://www.hrw.org/news/2018/07/18/australia-new-video-cruel-offshore-processing-policy),[[27]](#footnote-28) and the detention of suspected Islamic State (ISIS)-affiliated women and children in [Iraq](https://www.hrw.org/news/2017/10/09/isiss-other-victims).[[28]](#footnote-29) Immigration detention of children can also involve children being detained with [unrelated](https://www.hrw.org/news/2013/09/29/impact-immigration-detention-children)[[29]](#footnote-30) adults, a practice occurring in countries including Croatia, Greece, Indonesia, Italy, Malaysia, Malta, Mexico, overseas French territories, Saudi Arabia, Slovakia, and Yemen.

Detained women and girls have a right to humane conditions, and this right is often violated. Women and girls in prison often face particular abuses. Because there are usually fewer female prisoners than male prisoners in any given system, women’s facilities are often fewer, placing many women and girls far from family and friends and cutting them off from emotional support during detention and community ties necessary for successful community reintegration. Facilities for female prisoners may be starved of resources for similar reasons, an issue we documented in [France](https://www.hrw.org/report/2016/04/05/double-punishment/inadequate-conditions-prisoners-psychosocial-disabilities-france). Female prisoners may face sexual abuse, including both assault and abusive virginity examinations, as Human Rights Watch documented in [Afghanistan](https://www.hrw.org/news/2018/07/10/step-toward-ending-virginity-exams-afghanistan),[[30]](#footnote-31) [Australia](https://www.hrw.org/report/2018/02/06/i-needed-help-instead-i-was-punished/abuse-and-neglect-prisoners-disabilities),[[31]](#footnote-32) and [Egypt](https://www.hrw.org/news/2011/11/09/egypt-military-virginity-test-investigation-sham).[[32]](#footnote-33) They may also be put at heightened risk of sexual violence due to abusive conditions in detention; Human Rights Watch recently documented women being held in cells with men not related to them while in immigration detention in [Greece](https://www.hrw.org/news/2018/06/07/greece-asylum-seeking-women-detained-men).[[33]](#footnote-34)

Women and girls also often face violations of their reproductive rights while in detention. These abuses include denial of health care, an abuse we documented in [Australia](https://www.hrw.org/news/2018/02/06/australia-prisoners-disabilities-neglected-abused),[[34]](#footnote-35) the [US](https://www.hrw.org/report/2018/02/28/freezer/abusive-conditions-women-and-children-us-immigration-holding-cells),[[35]](#footnote-36) and elsewhere. They sometimes experience[[36]](#footnote-37) abusive conditions during birth including [shackling](https://www.hrw.org/news/2009/05/27/giving-birth-shackles),[[37]](#footnote-38) and being immediately separated from, or denied the ability to adequately care for, their babies. Women and girls deprived of liberty may experience additional difficulties in managing their [menstruation](https://www.hrw.org/report/2017/04/19/going-toilet-when-you-want/sanitation-human-right).[[38]](#footnote-39) Women in several immigration detention facilities in the [United States](http://www.hrw.org/sites/default/files/reports/wrd0309web_1.pdf)[[39]](#footnote-40) described arbitrary and humiliating limitations on access to sanitary pads.

### Refugee camps, asylum-seeker reception centers

Some refugee camps and reception centers for asylum seekers prevent people from leaving and should be regarded as places of detention. Even where facilities permit people to exit and re-enter the site, restrictions on freedom of movement and lack of access to transportation or income often leave people virtually confined. Human Rights Watch has documented abusive conditions affecting women and girls in the refugee camps and reception centers for asylum seekers of countries including [Australia](https://www.hrw.org/news/2016/08/02/australia-appalling-abuse-neglect-refugees-nauru), [Bangladesh](https://www.hrw.org/report/2017/11/16/all-my-body-was-pain/sexual-violence-against-rohingya-women-and-girls-burma),[[40]](#footnote-41) [France](https://www.hrw.org/news/2016/10/26/what-happening-children-calais-jungle),[[41]](#footnote-42) [Greece](https://www.hrw.org/news/2018/02/14/misery-women-and-girls-greeces-island-paradise),[[42]](#footnote-43) [Italy](https://www.hrw.org/news/2017/07/05/when-rape-survivors-cant-ask-help),[[43]](#footnote-44) [Lebanon](https://www.hrw.org/news/2013/11/26/lebanon-women-refugees-syria-harassed-exploited),[[44]](#footnote-45) [Sweden](https://www.hrw.org/report/2016/06/09/seeking-refuge/unaccompanied-children-sweden), and [Tanzania](https://www.hrw.org/news/2016/07/27/burundi-gang-rapes-ruling-party-youth).[[45]](#footnote-46) Women and girls at these facilities have been housed–sometimes for several years--in insecure conditions, denied access to health and mental health care, including pre- and post-natal medical care, denied adequate provision of safe toilets and showers, and confined with unrelated men and boys. Such conditions contravene international standards and put women and girls at increased risk of sexual and gender-based violence. Women and girls in these facilities told Human Rights Watch that they felt unsafe and that the conditions contributed to physical or mental health problems, including skin conditions, depression, anxiety, insomnia.

### Armed conflict settings

In situations of internal armed conflict, women have been detained on suspicion of involvement with opposition forces, or simply having family ties to fighters, without due process protections. In [Iraq](https://www.hrw.org/news/2017/09/20/iraq/krg-1400-women-children-isis-areas-detained),[[46]](#footnote-47) authorities detained at least 1,400 foreign women and children who surrendered with Islamic State forces in August 2017, and in some cases prosecuted women for alleged ISIS membership in unfair trials. In [Nigeria](https://www.hrw.org/news/2018/09/17/nigeria-flawed-trials-boko-haram-suspects),[[47]](#footnote-48) the government has detained thousands of individuals, including women, for suspected involvement with Boko Haram without due process protections. In the context of armed conflict, women and girls are also sometimes detained for the purpose of sexual exploitation, as discussed below.

### Trafficking and sexual slavery

Trafficked women and girls often experience a total deprivation of liberty. Human Rights Watch has two forthcoming reports on trafficking: trafficking of women and girls from Nigeria to Europe for exploitation as sex workers, domestic workers and agricultural workers; and trafficking of women and girls from Myanmar’s Kachin and northern Shan States for sale in China as “brides.” Both sets of research illustrate how profoundly victims are deprived of liberty. They are typically escorted closely by traffickers, often drugged during transit, and after arrival (and, sometimes, sale) held in prison-like conditions, under lock and key with no ability to communicate with the outside world. Conflict can exacerbate vulnerability to trafficking among women and girls and provide cover for traffickers.

Sexual slavery occurs both in conjunction with and separate from trafficking. Sexual slavery sometimes occurs in the context of armed conflict as Human Rights Watch documented in countries including the [Central African Republic](https://www.hrw.org/news/2017/10/05/central-african-republic-sexual-violence-weapon-war),[[48]](#footnote-49) [Iraq](https://www.hrw.org/news/2016/04/14/why-has-world-forgotten-islamic-states-female-sex-slaves),[[49]](#footnote-50) [Kenya](https://www.hrw.org/report/2016/02/15/i-just-sit-and-wait-die/reparations-survivors-kenyas-2007-2008-post-election),[[50]](#footnote-51) and [Sierra Leone](https://www.hrw.org/news/2003/01/16/sierra-leone-sexual-violence-widespread-war).[[51]](#footnote-52) In northern [Iraq](https://www.hrw.org/news/2015/04/14/iraq-isis-escapees-describe-systematic-rape),[[52]](#footnote-53) ISIS forces abducted thousands of Yezidis, subjecting women and girls to organized rape and sexual assault, sexual slavery, and forced marriage by ISIS forces. Women and girls in these contexts have been held for periods of days, months, or even years, and were often subject to repeated rape, sometimes by multiple perpetrators. In many cases, they were also compelled to perform domestic work. Sexual slavery that Human Rights Watch documented was often accompanied by physical abuse that may amount to torture, including being beaten, whipped, tied up for prolonged periods, and threatened with death. In some contexts, we documented abuses associated with sexual slavery that amounted to war crimes or were part of crimes against humanity.

### Child and forced marriage and domestic violence

Human Rights Watch has conducted extensive research on child marriage in countries including [Afghanistan](https://www.hrw.org/news/2013/09/04/afghanistan-child-marriage-domestic-violence-harm-progress),[[53]](#footnote-54) [Bangladesh](https://www.hrw.org/report/2015/06/09/marry-your-house-swept-away/child-marriage-bangladesh),[[54]](#footnote-55) [Malawi](https://www.hrw.org/report/2014/03/06/ive-never-experienced-happiness/child-marriage-malawi),[[55]](#footnote-56) [Nepal](https://www.hrw.org/report/2016/09/08/our-time-sing-and-play/child-marriage-nepal),[[56]](#footnote-57) [South Sudan](https://www.hrw.org/report/2013/03/07/old-man-can-feed-us-you-will-marry-him/child-and-forced-marriage-south-sudan),[[57]](#footnote-58) [Tanzania](https://www.hrw.org/report/2014/10/29/no-way-out/child-marriage-and-human-rights-abuses-tanzania),[[58]](#footnote-59) [Yemen](https://www.hrw.org/news/2014/04/27/yemen-end-child-marriage),[[59]](#footnote-60) and [Zimbabwe](https://www.hrw.org/news/2015/11/25/zimbabwe-scourge-child-marriage).[[60]](#footnote-61) We consistently find that many young brides experience life in their in-laws’ home as a form of imprisonment. They are often subjected to rape, other forms of physical violence, and forced domestic or farm labor and often have little ability to escape. Their marital home may be far from their birth family, they may be denied freedom of movement, and even when they are able to seek help from their blood relatives, they may be refused help because they are seen as harming the honor of the family if they try to end a marriage. The payment of a dowry or bride price may also create financial incentives for their family to insist that the marriage continue, such as we documented in Malawi,[[61]](#footnote-62) [Papua New Guinea](https://www.hrw.org/report/2015/11/04/bashed/family-violence-papua-new-guinea),[[62]](#footnote-63) and South Sudan.[[63]](#footnote-64)

Women also face forced marriage including to their rapists. There are a [number of countries](https://www.hrw.org/news/2017/08/24/middle-east-roll-repeal-marry-rapist-laws)[[64]](#footnote-65) with laws still on the books that allow for exoneration of those accused or convicted of kidnapping, assaulting or raping a woman or girl if they marry their victim. We reported that the [Palestinian Authority](https://www.hrw.org/news/2018/05/10/palestine-marry-your-rapist-law-repealed)[[65]](#footnote-66) repealed this law, which applied to the West Bank, in 2018, yet families may continue to practice forced marriages of their female relatives particularly in cases where they have become pregnant from extra-marital sex or rape, because of stigma, the difficulty of registering children born outside of wedlock and the criminalization of abortion.

Human Rights Watch has also documented domestic violence in which women and girls have reported being confined to their homes, or suffered extreme restrictions to their freedom of movement. For instance, at least three women were reported to be prevented from returning to Spain where they have legal residency by their families in the Sahrawi refugee camps in Algeria. Physical, emotional and financial abuse can also leave women and girls trapped by their abusers--see for example our work on [Morocco](https://www.hrw.org/news/2016/02/15/morocco-tepid-response-domestic-violence).[[66]](#footnote-67) These abuses can be facilitated by laws requiring obedience to parents or husbands, lack of legal protections for domestic violence victims, and the failure of authorities to assist victims. In [Saudi Arabia](https://www.hrw.org/report/2016/07/16/boxed/women-and-saudi-arabias-male-guardianship-system),[[67]](#footnote-68) women and girls can be arrested and prosecuted for “parental disobedience” or other disobedience charges under the male guardianship system, including if they leave their family home without permission.

### Abusive employment conditions

Some employment conditions are so abusive as to constitute deprivation of liberty. Several notorious incidents in which factory workers—primarily women—were killed, including the Rana Plaza disaster in [Bangladesh](https://www.hrw.org/news/2018/04/24/remember-rana-plaza)[[68]](#footnote-69) and the Ali Enterprises disaster in [Pakistan](https://www.hrw.org/news/2018/05/02/when-clothing-labels-are-matter-life-or-death),[[69]](#footnote-70) happened under circumstances in which worker’s freedom of movement was curtailed in ways that led to their deaths.

Domestic workers, who sometimes include girls as young as 8 or 9-years-old, are vulnerable to being placed in positions where they face abuse and cannot leave. They often live in the same home as their employer, sometimes far from their families, and may lack a means to communicate with their family or to find their way or pay for transportation to get home in the event that they experience abuse. These vulnerabilities are heightened for child domestic workers. We have documented abuses against child domestic workers in countries including [Indonesia](https://www.hrw.org/report/2009/02/11/workers-shadows/abuse-and-exploitation-child-domestic-workers-indonesia),[[70]](#footnote-71) [Guinea](https://www.hrw.org/report/2007/06/15/bottom-ladder/exploitation-and-abuse-girl-domestic-workers-guinea),[[71]](#footnote-72) and [Morocco](https://www.hrw.org/report/2012/11/15/lonely-servitude/child-domestic-labor-morocco).[[72]](#footnote-73)

When women and girls travel to another country for work, they may face extreme restrictions on their freedom of movement that can amount to deprivation of liberty. The Middle East’s Gulf region has an estimated 2.4 million migrant domestic workers, most from Asia and Africa. They fall under the abusive *kafala* (visa-sponsorship) system, not allowed to leave or change employers without their initial employer’s consent. If they do, they can be arrested and punished for “absconding” with fines, detention and deportation.

Isolating and harsh working conditions leave domestic workers vulnerable to sexual abuse. Human Rights Watch has extensively documented abuses against migrant domestic workers in many countries including [Bahrain](https://www.hrw.org/news/2009/05/13/bahrain-labor-reforms-major-advance),[[73]](#footnote-74) [Kuwait](https://www.hrw.org/news/2010/10/06/kuwait-abused-domestic-workers-nowhere-turn),[[74]](#footnote-75) [Lebanon](https://www.hrw.org/news/2010/09/16/lebanon-judiciary-failing-protect-domestic-workers),[[75]](#footnote-76) [Malaysia](https://www.hrw.org/report/2011/10/31/they-deceived-us-every-step/abuse-cambodian-domestic-workers-migrating-malaysia),[[76]](#footnote-77) [Oman](https://www.hrw.org/news/2017/11/14/tanzania-migrant-domestic-workers-oman-uae-abused),[[77]](#footnote-78) [Saudi Arabia](https://www.hrw.org/news/2012/04/10/saudi-arabia-step-aid-migrant-workers),[[78]](#footnote-79) [Singapore](https://www.hrw.org/news/2006/07/21/singapore-new-contract-shortchanges-domestic-workers),[[79]](#footnote-80) and [United Arab E](https://www.hrw.org/news/2012/05/11/uae-proposed-law-benefit-domestic-workers)mirates.[[80]](#footnote-81) Workers in many of these countries described abuses such as employers confiscating their passports, forcing them to work seven days a week, and forcibly confining them to their homes or residential compounds, making escape difficult. Some women said their employers restricted their communication for weeks or months, preventing them from seeking help from the outside world.

Many also described how they lived with little to no privacy–some sleeping on the floor of storage rooms or living rooms, or without locks or keys to their bedroom doors. The women who described sexual harassment and assault said that male family members groped them, exposed themselves, chased them around the house, and entered their rooms late at night. Several described rape and attempted rape.

### Orphanages and other facilities for children

When children are held in institutional settings, they are at heightened risk of abuse, and girls may be particularly vulnerable in these settings. In addition to facilities for children with disabilities, detailed below, Human Rights Watch has documented abuses against children in institutional settings in countries including [Armenia](https://www.hrw.org/news/2017/02/22/armenia-children-isolated-needlessly-separated-families),[[81]](#footnote-82) [Greece](https://www.hrw.org/report/2016/09/08/why-are-you-keeping-me-here/unaccompanied-children-detained-greece),[[82]](#footnote-83) [Japan](https://www.hrw.org/news/2014/05/01/japan-children-institutions-denied-family-life),[[83]](#footnote-84) [Russia](https://www.hrw.org/news/2018/03/05/children-russian-orphanage-allege-rape),[[84]](#footnote-85) and [Senegal](https://www.hrw.org/news/2016/07/28/senegal-new-steps-protect-talibes-street-children).[[85]](#footnote-86)

### Women’s shelters

Women’s shelters should be a refuge from abuse. But in some contexts, shelters themselves can become a form of deprivation of liberty, particularly when they are used by police as a place to hold women and girls who are facing criminal charges, or when women and girls are prevented from leaving for their own protection. In [Afghanistan](https://www.hrw.org/news/2018/03/19/no-shelter-afghanistan),[[86]](#footnote-87) Human Rights Watch has documented efforts by the government to take over NGO-run shelters and to impose rules that would deprive women and girls of liberty and increase the risk of them again facing violence. In [Saudi Arabia](https://www.hrw.org/report/2016/07/16/boxed/women-and-saudi-arabias-male-guardianship-system),[[87]](#footnote-88) women who fled to shelters to escape abuse may be required to obtain permission from a male relative before they can leave state facilities. Women who have completed prison terms are always required to obtain this permission before leaving state custody. In [Jordan](https://www.hrw.org/news/2017/04/03/how-end-honor-killings-jordan),[[88]](#footnote-89) women and girls seeking safety in shelters from family violence are placed in preventive detention and cannot leave unless their families pledge not to harm them or if they marry someone.

### Recommendations to the Working Group

* In the report, take a comprehensive view of what constitutes deprivation of liberty, including the settings described in this submission.
* Begin discussions of a specific context in which women or girls are deprived of liberty with an analysis of whether there are women or girls who have been placed in this setting unjustly, or whether there are measures unexplored that might have rendered the deprivation of liberty unnecessary.
* Advocate for decriminalization of consensual sex between adults and for laws that take into account adolescents’ evolving capacity and maturity to make decisions about engaging in sexual conduct for themselves, age differentials between those engaging in sexual activity, and the removal of inappropriate penalties.
* Advocate that facilities that do not have deprivation of liberty as their core function—e.g. refugee camps and facilities, orphanages, shelters, etcetera—should limit the liberty of women and girls as little as possible and should do so only for legitimate reasons related to the safety of people residing in these facilities.
* Advocate for gender-specific standards for all institutions depriving women and girls of liberty that recognize ways in which their needs may differ from that of men and boys, for example in regard to the types of services needed, including: health care, including sexual and reproductive health care such as pre and post-natal and obstetric care, abortion, and post-rape care; mental health care including trauma counselling; legal services; support for parenting; safe facilities such as toilets, showers, and changing rooms; menstrual hygiene supplies; substance abuse treatment; vocational training and job placement services; and pastoral care. Standards should also ensure that women and girls are not housed or confined with unrelated men and boys.
* Advocate for women and girls to be allowed to leave police stations, detention centers, prisons, and shelter without a requirement that families or a male guardian receive them.
* Advocate for measures to assist women and girls deprived of liberty in non-institutional settings--for example at the hands of traffickers, through child and forced marriage, in domestic violence situations, and due to abusive conditions as a domestic worker. This should take the form of measures such as: legislation on domestic violence and trafficking to provide authorities with the power and duty to investigate and assist victims; legislation facilitating access to civil protection (restraining) orders against abusers; shelters and other accommodation assistance; setting and enforcing a minimum age of marriage of 18 without exceptions; criminalizing forced marriage; abolishing visa-sponsorship systems that tie migrant workers visas to their employers; institutional mechanisms to protect domestic workers from abusive conditions, such as monitoring and labor inspections; and online, media, and targeted community-based outreach, hotlines, and other measures.

## Detention of Lesbian and Bisexual Women and Transgender People on the Basis of Sexual Orientation or Gender Identity

In many countries, women are at risk of detention by the authorities because of their real or perceived sexual orientation or gender identity. Even simple signs of affection between women can be interpreted as “lesbianism,” resulting in arrest and prosecution.

### Arrests for Alleged Sexual Conduct

Laws in at least 34 countries explicitly criminalize same-sex conduct between women, while vague provisions in other countries’ laws may also result in arrests of women for same-sex relations. While many laws imposed under British colonialism around the world only punish sex between men, at least 10 jurisdictions around the world *added* laws to their books between 1986 and 2011 that criminalize sex between women.[[89]](#footnote-90) Human Rights Watch has documented a number of arrests in the last five years of women and girls accused of consensual same-sex sexual conduct.

In Malaysia, Terengganu state Sharia (Islamic law) enforcement officials arrested two women in a car in April 2018 for allegedly having sex. Without legal representation, the two women pled guilty in a Sharia court in August and were sentenced to six strokes with a cane.[[90]](#footnote-91) They were publicly caned in a courtroom in front of 100 people on September 3.

In Tanzania, four women were arrested in Geita in December 2017 after a video circulated on social media in which two of the women were kissing. Charges of “gross indecency between persons” remain pending in the Mwanza High Court.[[91]](#footnote-92) In addition, several female activists were arrested and charged with “promotion of homosexuality” in October 2017 after participating in a workshop on strategic litigation and the right to health.[[92]](#footnote-93)

In Morocco, two teenage girls aged 16 and 17 were arrested in November 2016 for allegedly kissing on the roof of a building in Marrakech. They were charged with committing a “lewd or unnatural act” with a person of the same sex, which carries a prison sentence of up to three years.[[93]](#footnote-94) They were held in an adult prison for three days before being released on bail and were acquitted in December.

In Ghana, sex between women is not expressly criminalized. Nevertheless, in June 2016, police raided a football camp in Kumasi and arrested three participants based on rumors that they were lesbians. Although they were released the same day, the arrest had lasting consequences: the coach expelled the three women from the team, and when they returned home, their parents disowned them for “bringing shame” to their respective families. Another woman in Kumasi reported being detained with her partner at Suame Police Station in December 2014, after her partner’s mother reported them to the police. They were released three days later after paying a bribe.[[94]](#footnote-95)

In Senegal, in November 2013, four women and one teenage girl were arrested for allegedly kissing at a birthday party in a Dakar restaurant and charged with “homosexual acts,” which carries a sentence of up to five years in prison. They were tried nine days later and acquitted for lack of evidence.[[95]](#footnote-96)

Transgender women and men are often presumed to be homosexual and arrested under anti-homosexuality laws. Human Rights Watch has documented such arrests in Malawi,[[96]](#footnote-97) Uganda,[[97]](#footnote-98) and Sri Lanka,[[98]](#footnote-99) among others.

### Arrests for Gender Expression

Laws in at least six countries criminalize forms of gender expression, including “posing as” a different sex.

In Malaysia, arrests of transgender people take place frequently under state Sharia laws, which are enforced by state Islamic Religious Departments and are only applicable to Muslims, who make up approximately 60 percent of Malaysia’s population. While the language of such laws varies across Malaysia’s 13 states and 3 federal territories, most Sharia enactments contain provisions that prohibit “a man posing as a woman,” and three states similarly criminalize “a woman posing as a man.” As far as Human Rights Watch has been able to ascertain, despite the existence of some laws targeting transgender men (“women posing as men,” in the eyes of the Malaysian authorities), all arrests to date under these laws have targeted transgender women. Officers of the federal Royal Malaysia Police have also at times arrested transgender women under an overly vague provision of the secular federal criminal code that prohibits “public indecency” and applies to people of all religious backgrounds. Trans women in Malaysia reported to Human Rights Watch a number of cases in which police physically or sexually assaulted them in the course of arrest or while in detention.

Oman promulgated a new penal code in January 2018 that, for the first time, criminalizes any man who “appears dressed in women’s clothing.” Shortly thereafter, the first arrest of a transgender person took place under this law, and media reports suggest other transgender women may also have been arrested.

In the United Arab Emirates, in August 2017, police arrested a Singaporean transgender woman and a gay man in a shopping mall and charged them with "disguising” as women. Article 359 of the UAE’s federal penal code punishes “any male disguised in a female apparel and enters in this disguise a place reserved for women or where entry is forbidden, at that time, for other than women” with up to one year in prison and a fine; however, the two Singaporeans were not in a place reserved for women. They spent three weeks in prison before being deported to Singapore.[[99]](#footnote-100)

In Kuwait, transgender activists have reported to Human Rights Watch that police regularly arrest and harass of transgender people under a law against “imitating the opposite sex in any way.”

### Transgender Women in Immigration Detention

Human Rights Watch has also documented abuses of women in immigration detention in the United States. At any given time, dozens of [transgender](https://www.hrw.org/topic/lgbt-rights) women, including asylum seekers who have come to the [United States](https://www.hrw.org/united-states) seeking protection from abuse in their home countries, are locked up in prison-like immigration detention centers across the country. Many have been subjected to sexual assault and ill-treatment in detention, including indefinite solitary confinement.[[100]](#footnote-101)

### Recommendations to the Working Group

The Working Group should urge governments to:

* Decriminalize consensual same-sex relations.
* Consider, while laws still criminalize same-sex relations, issuing moratoriums to end arrests and prosecutions under such laws.
* Revoke all laws that criminalize gender expression, including laws that prohibit “posing as the opposite sex.”
* Ensure that laws intended to protect women-only spaces are not implemented in a way that results in arrests and prosecutions of transgender women;
* Ensure that transgender people in detention facilities are housed according to their expressed gender identity.
* Identify alternatives to detention for asylum seekers, particularly those who may be vulnerable in detention settings for various reasons, including their sexual orientation or gender identity.
* Monitor all detention settings to identify cases of abuse, either by guards or fellow detainees, against detainees based on their real or perceived sexual orientation or gender identity.
* Establish complaint procedures that are safe and accessible for lesbian, bisexual and transgender detainees.

## Deprivation of liberty and legal capacity of women and girls with disabilities, including older women

Human Rights Watch has done extensive research on the deprivation of liberty and deprivation of legal capacity of persons with disabilities, particularly women and girls with disabilities, in different contexts in a number of countries, including [Australia](https://www.hrw.org/report/2018/02/06/i-needed-help-instead-i-was-punished/abuse-and-neglect-prisoners-disabilities),[[101]](#footnote-102) [Brazil](https://www.hrw.org/report/2018/05/23/they-stay-until-they-die/lifetime-isolation-and-neglect-institutions-people),[[102]](#footnote-103) [Croatia](https://www.hrw.org/news/2014/10/06/croatia-locked-and-neglected),[[103]](#footnote-104) [India](https://www.hrw.org/report/2014/12/03/treated-worse-animals/abuses-against-women-and-girls-psychosocial-or-intellectual),[[104]](#footnote-105) [Indonesia](https://www.hrw.org/report/2016/03/20/living-hell/abuses-against-people-psychosocial-disabilities-indonesia),[[105]](#footnote-106) and [Serbia](https://www.hrw.org/report/2016/06/08/it-my-dream-leave-place/children-disabilities-serbian-institutions).[[106]](#footnote-107)

Article 14 of the Convention on the Rights of Persons with Disabilities (CRPD)[[107]](#footnote-108) prohibits unlawful or arbitrary detention and provides that the existence of a disability cannot be used as justification for the deprivation of liberty. In her 2012 report on violence against women with disabilities, the UN special rapporteur on violence against women, Rashida Manjoo, denounced forced institutionalization as a form of violence.[[108]](#footnote-109)

While men and boys with disabilities also face abuses, existing gender inequalities and discrimination mean that women and girls may be particularly marginalized and vulnerable to unique forms of neglect or abuse. For example, because some families fear that girls with psychosocial or intellectual disabilities may become easy targets for sexual violence if at home, staff at a night shelter in Kolkata, India said families often prefer to leave their daughters in the custody of an institution where they feel they are safer.

According to the CRPD Committee, the denial of the legal capacity of persons with disabilities and their detention in institutions against their will, either without their consent or with the consent of someone making decisions on their behalf, constitutes an unlawful deprivation of liberty under the CRPD.[[109]](#footnote-110) In many countries, women and girls with disabilities, especially those with psychosocial or intellectual disabilities, are placed in institutions without their informed consent and are denied legal capacity (or the right to make basic decisions for themselves).

### Deprivation of liberty in institutions and denial of legal capacity

In India, Human Rights Watch found that due to stigma and the lack of community-based services, women and girls with psychosocial disabilities can be arbitrarily detained in psychiatric hospitals and institutions with no or limited judicial oversight.[[110]](#footnote-111) In these institutions, they experience overcrowding and lack of hygiene, inadequate access to general healthcare, involuntary treatment – including electroconvulsive therapy – as well as physical, verbal, and sexual violence.

In Indonesia, more than 57,000 people with psychosocial disabilities have been subjected to *pasung* – shackled or locked up in confined space – at least once in their lives.[[111]](#footnote-112) Due to prevalent stigma and the absence of adequate community-based support services or mental health care, women and girls with psychosocial disabilities often end up locked up in overcrowded and unsanitary institutions, without their consent, where they face abuses ranging from physical and sexual violence, and involuntary treatment, to seclusion, restraint and forced contraception.[[112]](#footnote-113)

In Brazil, institution directors told Human Rights Watch that individuals with disabilities had been placed in an institution without asking for their consent, based solely on the consent of the legal guardian.[[113]](#footnote-114) A 50-year-old woman with a physical disability told Human Rights Watch that she felt imprisoned in the institution where she had been for eight years due to the lack of opportunities to leave and live in the community: “This place is very bad, it is like a prison. I don’t want to stay here.”[[114]](#footnote-115)

In Serbia and Croatia, Human Rights Watch documented that women with psychosocial or intellectual disabilities are often deprived of legal capacity and placed in institutions against their will, denying their right to live in the community.[[115]](#footnote-116) In many institutions in both countries, rooms and buildings where women lived were routinely locked, they were not allowed to move freely without permission, institution staff exercised complete and effective control over a woman’s actions and movements, often even denying them the right to make own decisions about reproductive health.

### Forced contraception and treatment

Sexual reproductive health care on the basis of informed consent was another concern documented in closed settings in a number of countries.

In Indonesia, Human Rights Watch visited government and private institutions where women and girls who were arbitrarily detained were administered contraception without their consent or knowledge.[[116]](#footnote-117)

In Serbia, medical staff at three institutions told Human Rights Watch about invasive medical interventions conducted on young women with disabilities to prevent or terminate pregnancy and for cancer screening.[[117]](#footnote-118) They acknowledged carrying out these procedures without the free and informed consent of these women but said their guardians had given consent.[[118]](#footnote-119) Under Serbian law, healthcare providers do not need to obtain consent of a person who is stripped of legal capacity and placed under guardianship.[[119]](#footnote-120) The interventions included the insertion of intrauterine devices (for birth control), administration of pap smear tests (Papanicolaou test, a screening procedure for cervical cancer), and termination of pregnancy. According to the staff, some women were put under general anaesthesia for some of the procedures to ensure they would not resist[[120]](#footnote-121)—the use of general anaesthesia for these medical procedures is unusual and unnecessary.

In Bahia, Brazil, Human Rights Watch visited an institution for 87 persons with disabilities, all of whom were under guardianship. All female residents in the institution were given contraceptives without their consent.[[121]](#footnote-122)

### Abuses against women with disabilities in prison

Human Rights Watch documented the particular abuses against women with disabilities in prisons in Australia and France.

People with disabilities, including women, particularly indigenous women with disabilities, are overrepresented in prisons across Australia. Only 2 to 3 percent of Australian women are Aboriginal and yet they represent 35 percent of women in prison.[[122]](#footnote-123)

Life behind bars is challenging for all but prisoners with disabilities, particularly women and girls with disabilities, often struggle more than others to adjust to the extraordinary stresses of incarceration and may be at a higher risk of violence and abuse. Moreover, evidence from Australia raises concerns that prison systems there do not provide female prisoners with equal access to intensive mental health care as their male counterparts.[[123]](#footnote-124)

In all 14 Australian prisons visited while conducting research for its February 2018 report, Human Rights Watch found that prisoners with disabilities are viewed as easy targets and as a result are at serious risk of violence and abuse, including bullying and harassment, and verbal, physical, and sexual violence.[[124]](#footnote-125) Some women with disabilities in prison reported experiencing sexual violence from other prisoners and prison officers with little or no accountability.

A lack of training to ensure staff understanding and sensitivity contributes to the frequent punishment of prisoners with disabilities who end up disproportionately represented in punishment units. A nurse manager in an Australian prison told Human Rights Watch, “Women with disabilities are overrepresented in punishment units. Some of the girls with mental health problems get sent ‘down the back’ [punishment units] because they’re seen as a management issue.”[[125]](#footnote-126) Prisoners with a psychosocial or cognitive disability can spend weeks or months locked in solitary confinement in detention, crisis or safety units, for 22 hours or more a day.

Human Rights Watch found that female prisoners with psychosocial disabilities face particularly harsh conditions in French prisons.[[126]](#footnote-127) Women in general, who are a minority in prison, are more restricted in their movements than men and have less access to treatment for mental health conditions than their male counterparts.

Women detained in a French prison with separate quarters for female and male prisoners described to Human Rights Watch how, unlike the men in the same facility, they had to be escorted in all their movements. As noted by the non-governmental organization International Observatory of Prisons (Observatoire International des Prisons, OIP), “the “women’s quarters in facilities that accommodate men and women are generally cut-off and isolated from the rest of the prison […] In facilities where men are incarcerated as well, [women] must be accompanied in all their movements.”[[127]](#footnote-128)

Besides making them feel isolated, this gives women the sense that they are treated more harshly only because they are women. Female prisoners also face discrimination in their access to mental health care: while 26 Regional Medico Psychological Services (SMPR) in French prisons provide mental healthcare during the day and beds for the night, only one of them, in the prison of Fleury-Mérogis, has beds for women. As a result, women detained in other facilities only have the choice of receiving care by way of individual appointments in prison or hospitalization in a psychiatric hospital, and nothing in between.

Human Rights Watch also found that women incarcerated in the prisons it visited in France were at a disadvantage compared to men in terms of detention conditions, particularly access to vocational training and access to health care services. “The way women are treated isn’t equal to the way men are treated,” Yves Bidet, director of the prison for women in Rennes told Human Rights Watch. “There is less choice of vocational trainings. There isn’t much.”[[128]](#footnote-129)

### Older Women in Nursing Homes

Human Rights Watch has conducted research on the rights of older people in nursing homes in the US. Older people now account for one in seven Americans; over 26 million are older women.[[129]](#footnote-130) Many individuals in nursing facilities can be physically frail, have cognitive disabilities, and be isolated from their communities. Often, they are unable or not permitted to leave the facility alone. Many depend entirely on the institution’s good faith and have no realistic avenues to help or safety.[[130]](#footnote-131) This may sometimes render the experience of persons, including women, residing in nursing homes akin to deprivation of liberty. Human Rights Watch documented the deprivation of legal capacity and excessive or premature use of proxies can completely exclude people from decisions that have major implications for their lives.[[131]](#footnote-132) One particular area of concern is the administration of antipsychotic drugs, in nursing home residents sometimes without their informed consent. These drugs have a sedative effect and older residents, including women reported that they make it difficult for them to talk, think, and move. [[132]](#footnote-133)

### Recommendations for the Working Group

Human Rights Watch recommends that the Working Group:

* Include women with disabilities in the upcoming report on deprivation of liberty, recognizing institutionalization and involuntary hospitalization based on the existence of a disability as a form of discrimination, and institutionalization without consent of the individual or involuntary hospitalization based on the existence of a disability as a form of arbitrary detention.
* Urge governments to:
  + Ensure that deprivation of liberty outside of the context of criminal detention requires a determination by an independent judicial authority, meeting due process, that is not based on the existence of a disability; but based on behavior that poses imminent actual harm to self or others , on an equal basis with others; and it should be limited to short periods of time as specified by law, and subject to continual full judicial review.
  + Amend or repeal all domestic legislation to ensure that persons with disabilities, including persons with age-related disabilities such as dementia, are guaranteed legal capacity, equal recognition before the law, have access to supported decision-making, freedom from discrimination, and protection from involuntary detention and treatment.
  + Require that medical treatment be provided on the basis of free and informed consent of the person receiving the treatment. Women with disabilities should be provided with the support they might need to exercise their right to free and informed consent to medical treatment. Any exceptions for provision of emergency medical treatment in life threatening or similarly serious situations should apply to all persons on an equal basis.
  + Ensure that reproductive health care services provided to women with disabilities, including medical interventions, are based on the free and informed consent of the person concerned, not their guardian. Provide women with disabilities with the support they might need to exercise their right to free and informed consent to medical intervention.
  + Support community-based mental health and support services for women with disabilities to realize their rights to live independently in their communities and with their rights to private and family life intact, rather than in institutions where many rights are at risk. Similarly support community-based services for older women to enable them to choose to live independently in their communities rather than in an institutional setting such as a nursing home out of necessity. Seek to strengthen community-based models of support instead of creating new or refurbished mental health or residential care institutions.
  + Introduce policies that ensure prisoners with disabilities cannot be held in solitary confinement.
* Regularly screen prisoners for all types of disabilities upon entry into prison.
* Adopt humane conditions of confinement and provide reasonable accommodations and respond appropriately to the particular support needs of prisoners with disabilities. Ensure prisoners with a disability, particularly women, have adequate access to support and mental health services.

1. “Saudi Arabia: Free Right-to-Drive Activists,” Human Rights Watch news release, September 11, 2018, <https://www.hrw.org/news/2018/09/11/saudi-arabia-free-right-drive-activists>. [↑](#footnote-ref-2)
2. Human Rights Watch, *“Good Girls Don’t Protest”: Repression and Abuse of Women Human Rights Defenders, Activists, and Protesters in Sudan*, March 23, 2016, https://www.hrw.org/report/2016/03/23/good-girls-dont-protest/repression-and-abuse-women-human-rights-defenders [↑](#footnote-ref-3)
3. “China: Drop All Charges Against Feminist Activists,” Human Rights Watch news release, April 14, 2015, <https://www.hrw.org/news/2015/04/14/china-drop-all-charges-against-feminist-activists>. [↑](#footnote-ref-4)
4. “Afghanistan: End ‘Moral Crimes’ Charges, ‘Virginity’ Tests,” Human Rights Watch news release, May 25, 2016, <https://www.hrw.org/news/2016/05/25/afghanistan-end-moral-crimes-charges-virginity-tests>. [↑](#footnote-ref-5)
5. “Mauritania: Rape Survivors at Risk.” September 5, 2018, <https://www.hrw.org/news/2018/09/05/mauritania-rape-survivors-risk>. [↑](#footnote-ref-6)
6. Jehanne Henry, “Dispatches: Sudan’s War on Women and Girls,” Human Rights Watch dispatch, October 12, 2015, <https://www.hrw.org/news/2015/10/12/dispatches-sudans-war-women-and-girls>. [↑](#footnote-ref-7)
7. “Afghanistan: Surge in Women Jailed for ‘Moral Crimes’,” Human Rights Watch news release, May 21, 2013, <https://www.hrw.org/news/2013/05/21/afghanistan-surge-women-jailed-moral-crimes>. [↑](#footnote-ref-8)
8. Human Rights Watch, *Rape Victims as Criminals Illegal Abortion after Rape in Ecuador*, August 2013, <https://www.hrw.org/report/2013/08/23/rape-victims-criminals/illegal-abortion-after-rape-ecuador>. [↑](#footnote-ref-9)
9. “Peru: At-Risk Women Denied Legal Abortions,” Human Rights Watch news release, July 9, 2008, <https://www.hrw.org/news/2008/07/09/peru-risk-women-denied-legal-abortions>. [↑](#footnote-ref-10)
10. Agnes Odhiambo, “Women Still Dying From Unsafe Abortions Despite the Law,” Daily Nation,

    October 2, 2017, https://www.hrw.org/news/2017/10/02/women-still-dying-unsafe-abortions-despite-law. [↑](#footnote-ref-11)
11. Human Rights Watch, *Illusions of Care Lack of Accountability for Reproductive Rights in Argentina*, August 2010, <https://www.hrw.org/report/2010/08/10/illusions-care/lack-accountability-reproductive-rights-argentina>. [↑](#footnote-ref-12)
12. Human Rights Watch, *Mexico: The Second Assault Obstructing Access to Legal Abortion after Rape in Mexico*, March 2016, <https://www.hrw.org/report/2006/03/06/mexico-second-assault/obstructing-access-legal-abortion-after-rape-mexico>. [↑](#footnote-ref-13)
13. “Nicaragua: Blanket Ban on Abortion Harms Women,” Human Rights Watch news release, August 29, 2007, <https://www.hrw.org/news/2007/08/29/nicaragua-blanket-ban-abortion-harms-women>. [↑](#footnote-ref-14)
14. “Ireland: Abortion Limits Violate Human Rights,” Human Rights Watch news release, January 28, 2010. https://www.hrw.org/news/2010/01/28/ireland-abortion-limits-violate-human-rights. [↑](#footnote-ref-15)
15. “The World’s Abortion Laws 2018,” undated, <http://worldabortionlaws.com/> (accessed September 16, 2018). [↑](#footnote-ref-16)
16. “Brasil registra um processo por autoaborto todo dia,” *Catarinas*, May 3, 2018, <http://catarinas.info/brasil-registra-um-processo-por-autoaborto-todo-dia/#_ftn1> (accessed September 26, 2018). [↑](#footnote-ref-17)
17. “Maternidad o castigo. La criminalización del aborto en Mexico,” undated, <http://criminalizacionporaborto.gire.org.mx/#/> (accessed September 26, 2018). [↑](#footnote-ref-18)
18. “Nicaragua: Abortion Ban Threatens Health and Lives,” Human Rights Watch news release, July 31, 2017, <https://www.hrw.org/news/2017/07/31/nicaragua-abortion-ban-threatens-health-and-lives>. [↑](#footnote-ref-19)
19. San Jose de Ochoa, “Imponen tres meses de prisión a mujer se habría provocado aborto,” *Listin Diario*, February 18, 2018, 1<https://listindiario.com/la-republica/2018/02/18/503212/imponen-tres-meses-de-prision-a-mujer-se-habria-provocado-aborto> (accessed September 26, 2018). [↑](#footnote-ref-20)
20. Elisabeth Malkin, “They Were Jailed for Miscarriages. Now, Campaign Aims to End Abortion Ban,” *New York Times*, April 9, 2018, <https://www.nytimes.com/2018/04/09/world/americas/el-salvador-abortion.html> (accessed September 26, 2018). [↑](#footnote-ref-21)
21. “Women who kill in response to domestic violence: how do criminal justice systems respond?” Linklaters, 2016, <https://s16889.pcdn.co/wp-content/uploads/2016/04/Women_who_kill_in_response_to_domestic_violence_Full_report.pdf> (accessed September 26, 2018). [↑](#footnote-ref-22)
22. Human Rights Watch, “Call Me When He Tries to Kill You”: State Response to Domestic Violence in Kyrgyzstan, Oct. 28, 2015, <https://www.hrw.org/report/2015/10/28/call-me-when-he-tries-kill-you/state-response-domestic-violence-kyrgyzstan> (accessed Sept. 26, 2018). [↑](#footnote-ref-23)
23. Jehanne Henry, “Sudan’s Many Nouras,” Human Rights Watch dispatch, May 15, 2018, <https://www.hrw.org/news/2018/05/15/sudans-many-nouras>. [↑](#footnote-ref-24)
24. “California: New Laws Protect Children, Youth,” Human Rights Watch news release, October 11, 2017, <https://www.hrw.org/news/2017/10/11/california-new-laws-protect-children-youth>. [↑](#footnote-ref-25)
25. Human Rights Watch, *Two Years With No Moon Immigration: Detention of Children in Thailand*, September 2014, <https://www.hrw.org/report/2014/09/01/two-years-no-moon/immigration-detention-children-thailand>. [↑](#footnote-ref-26)
26. Human Rights Watch, *In the Freezer Abusive Conditions for Women and Children in US Immigration Holding Cells*, February 2018, <https://www.hrw.org/report/2018/02/28/freezer/abusive-conditions-women-and-children-us-immigration-holding-cells>. [↑](#footnote-ref-27)
27. “Australia: New Video on Cruel ‘Offshore Processing’ Policy,” Human Rights Watch news release, July 17, 2018, <https://www.hrw.org/news/2018/07/18/australia-new-video-cruel-offshore-processing-policy>. “ [↑](#footnote-ref-28)
28. Belkis Wille, “ISIS’s Other Victims,” Human Rights Watch commentary, October 9, 2017, <https://www.hrw.org/news/2017/10/09/isiss-other-victims>. [↑](#footnote-ref-29)
29. “The Impact of Immigration Detention on Children,” Human Rights Watch commentary, September 29, 2013, <https://www.hrw.org/news/2013/09/29/impact-immigration-detention-children>. [↑](#footnote-ref-30)
30. Heather Barr, “A Step Toward Ending 'Virginity Exams' in Afghanistan,” Human Rights Watch dispatch, July 10, 2018, <https://www.hrw.org/news/2018/07/10/step-toward-ending-virginity-exams-afghanistan>. [↑](#footnote-ref-31)
31. Human Rights Watch, *“I Needed Help, Instead I Was Punished” Abuse and Neglect of Prisoners with Disabilities in Australia*, February 2018, <https://www.hrw.org/report/2018/02/06/i-needed-help-instead-i-was-punished/abuse-and-neglect-prisoners-disabilities>. [↑](#footnote-ref-32)
32. “Egypt: Military ‘Virginity Test’ Investigation a Sham,” Human Rights Watch news release, November 9, 2011, <https://www.hrw.org/news/2011/11/09/egypt-military-virginity-test-investigation-sham>. [↑](#footnote-ref-33)
33. “Greece: Asylum-Seeking Women Detained with Men,” Human Rights Watch news release, June 7, 2018, <https://www.hrw.org/news/2018/06/07/greece-asylum-seeking-women-detained-men>. [↑](#footnote-ref-34)
34. Human Rights Watch, *“I Needed Help, Instead I Was Punished” Abuse and Neglect of Prisoners with Disabilities in Australia*, February 2018, <https://www.hrw.org/report/2018/02/06/i-needed-help-instead-i-was-punished/abuse-and-neglect-prisoners-disabilities>. [↑](#footnote-ref-35)
35. Human Rights Watch, *In the Freezer Abusive Conditions for Women and Children in US Immigration Holding Cells*, February 2018, <https://www.hrw.org/report/2018/02/28/freezer/abusive-conditions-women-and-children-us-immigration-holding-cells>. [↑](#footnote-ref-36)
36. “II. Life Behind Bars for People with Disabilities,” Human Rights Watch, *“I Needed Help, Instead I Was Punished” Abuse and Neglect of Prisoners with Disabilities in Australia*. [↑](#footnote-ref-37)
37. Meghan Rhoad, “Giving Birth in Shackles,” Human Rights Watch commentary, May 27, 2009, <https://www.hrw.org/news/2009/05/27/giving-birth-shackles>. [↑](#footnote-ref-38)
38. Human Rights Watch, *“Going to the Toilet When You Want” Sanitation as a Human Right*, April 2017, <https://www.hrw.org/report/2017/04/19/going-toilet-when-you-want/sanitation-human-right>. [↑](#footnote-ref-39)
39. Human Rights Watch, *Detained and Dismissed Women’s Struggles to Obtain Health Care in United States Immigration Detention*, 2009, <https://www.hrw.org/sites/default/files/reports/wrd0309web_1.pdf>. [↑](#footnote-ref-40)
40. Human Rights Watch, *“All of My Body Was Pain:” Sexual Violence against Rohingya Women and Girls in Burma*, November 2017, <https://www.hrw.org/report/2017/11/16/all-my-body-was-pain/sexual-violence-against-rohingya-women-and-girls-burma>. [↑](#footnote-ref-41)
41. Michael Garcia Bochenek, “What Is Happening To The Children Of The Calais 'Jungle'?” Human Rights Watch commentary, October 26, 2016, <https://www.hrw.org/news/2016/10/26/what-happening-children-calais-jungle>. [↑](#footnote-ref-42)
42. Hillary Margolis, “Misery for Women and Girls in Greece’s Island Paradise,” Human Rights Watch dispatch, February 14, 2018, <https://www.hrw.org/news/2018/02/14/misery-women-and-girls-greeces-island-paradise>. [↑](#footnote-ref-43)
43. Hillary Margolis, “When Rape Survivors Can’t Ask for Help,” Human Rights Watch commentary, July 5, 2017, <https://www.hrw.org/news/2017/07/05/when-rape-survivors-cant-ask-help>. [↑](#footnote-ref-44)
44. “Lebanon: Women Refugees From Syria Harassed, Exploited,” Human Rights Watch news release, November 26, 2013, <https://www.hrw.org/news/2013/11/26/lebanon-women-refugees-syria-harassed-exploited>. [↑](#footnote-ref-45)
45. “Burundi: Gang Rapes by Ruling Party Youth,” Human Rights Watch news release, July 27, 2016, <https://www.hrw.org/news/2016/07/27/burundi-gang-rapes-ruling-party-youth> (accessed Sept. 26, 20180. [↑](#footnote-ref-46)
46. “Iraq/KRG: 1,400 Women, Children From ISIS Areas Detained,” Human Rights Watch news release, September 20, 2017, <https://www.hrw.org/news/2017/09/20/iraq/krg-1400-women-children-isis-areas-detained>. [↑](#footnote-ref-47)
47. “Nigeria: Flawed Trials of Boko Haram Suspects,” Human Rights Watch news release, September 17, 2018, <https://www.hrw.org/news/2018/09/17/nigeria-flawed-trials-boko-haram-suspects>. [↑](#footnote-ref-48)
48. “Central African Republic: Sexual Violence as Weapon of War,” Human Rights Watch news release, October 5, 2017, <https://www.hrw.org/news/2017/10/05/central-african-republic-sexual-violence-weapon-war>. [↑](#footnote-ref-49)
49. Skye Wheeler, “Why has the World Forgotten Islamic State's Female Sex Slaves?” Human Rights Watch commentary, April 14, 2016, <https://www.hrw.org/news/2016/04/14/why-has-world-forgotten-islamic-states-female-sex-slaves>. [↑](#footnote-ref-50)
50. Human Rights Watch, *“I Just Sit and Wait to Die” Reparations for Survivors of Kenya’s 2007-2008 Post-Election Sexual Violence,* February 2016, <https://www.hrw.org/report/2016/02/15/i-just-sit-and-wait-die/reparations-survivors-kenyas-2007-2008-post-election>. [↑](#footnote-ref-51)
51. “Sierra Leone: Sexual Violence Widespread in War,” Human Rights Watch news release, January 16, 2003, <https://www.hrw.org/news/2003/01/16/sierra-leone-sexual-violence-widespread-war>. [↑](#footnote-ref-52)
52. “Iraq: ISIS Escapees Describe Systematic Rape,” Human Rights Watch news release, April 14, 2015, <https://www.hrw.org/news/2015/04/14/iraq-isis-escapees-describe-systematic-rape>. [↑](#footnote-ref-53)
53. “Afghanistan: Child Marriage, Domestic Violence Harm Progress,” Human Rights Watch news release, September 4, 2013, <https://www.hrw.org/news/2013/09/04/afghanistan-child-marriage-domestic-violence-harm-progress>. [↑](#footnote-ref-54)
54. Human Rights Watch, *Marry Before Your House is Swept Away: Child Marriage in Bangladesh*, May 2015, <https://www.hrw.org/report/2015/06/09/marry-your-house-swept-away/child-marriage-bangladesh>. [↑](#footnote-ref-55)
55. Human Rights Watch, *"I've Never Experienced Happiness": Child Marriage in Malawi,* March 6, 2014. https://www.hrw.org/report/2014/03/06/ive-never-experienced-happiness/child-marriage-malawi [↑](#footnote-ref-56)
56. Human Rights Watch, *“Our Time to Sing and Play” Child Marriage in Nepal*, September 2016, <https://www.hrw.org/report/2016/09/08/our-time-sing-and-play/child-marriage-nepal>. [↑](#footnote-ref-57)
57. Human Rights Watch, *"This Old Man Can Feed Us, You Will Marry Him" Child and Forced Marriage in South Sudan*, March 2013, <https://www.hrw.org/report/2013/03/07/old-man-can-feed-us-you-will-marry-him/child-and-forced-marriage-south-sudan>. [↑](#footnote-ref-58)
58. Human Rights Watch, *No Way Out: Child Marriage and Human Rights Abuses in Tanzania*, October 2014, <https://www.hrw.org/report/2014/10/29/no-way-out/child-marriage-and-human-rights-abuses-tanzania>. [↑](#footnote-ref-59)
59. “Yemen: End Child Marriage,” Human Rights Watch news release, April 27, 2014, <https://www.hrw.org/news/2014/04/27/yemen-end-child-marriage>. [↑](#footnote-ref-60)
60. “Zimbabwe: Scourge of Child Marriage,” Human Rights Watch news release, November 25, 2015 <https://www.hrw.org/news/2015/11/25/zimbabwe-scourge-child-marriage>. [↑](#footnote-ref-61)
61. Human Rights Watch, *"I've Never Experienced Happiness": Child Marriage in Malawi,* March 6, 2014. https://www.hrw.org/report/2014/03/06/ive-never-experienced-happiness/child-marriage-malawi [↑](#footnote-ref-62)
62. Human Rights Watch, *Bashed Up. Family Violence in Papua New Guinea*, November 2015, <https://www.hrw.org/report/2015/11/04/bashed/family-violence-papua-new-guinea>. [↑](#footnote-ref-63)
63. Human Rights Watch, *"This Old Man Can Feed Us, You Will Marry Him" Child and Forced Marriage in South Sudan*, March 2013, <https://www.hrw.org/report/2013/03/07/old-man-can-feed-us-you-will-marry-him/child-and-forced-marriage-south-sudan>. [↑](#footnote-ref-64)
64. Rothna Begum, “Middle East on a Roll to Repeal 'Marry the Rapist' Laws,” Human Rights Watch commentary, August 24, 2017, <https://www.hrw.org/news/2017/08/24/middle-east-roll-repeal-marry-rapist-laws>. [↑](#footnote-ref-65)
65. “Palestine: ‘Marry-Your-Rapist’ Law Repealed,” Human Rights Watch news release, May 10, 2018, <https://www.hrw.org/news/2018/05/10/palestine-marry-your-rapist-law-repealed>. [↑](#footnote-ref-66)
66. “Morocco: Tepid Response on Domestic Violence,” Human Rights Watch news release, February 15, 2016, <https://www.hrw.org/news/2016/02/15/morocco-tepid-response-domestic-violence>. [↑](#footnote-ref-67)
67. Human Rights Watch, *Boxed In: Women and Saudi Arabia’s Male Guardianship System*, July 2016, <https://www.hrw.org/report/2016/07/16/boxed/women-and-saudi-arabias-male-guardianship-system>. [↑](#footnote-ref-68)
68. Tejshree Thapa, “Remember Rana Plaza,” Human Rights Watch dispatch, April 24, 2018, <https://www.hrw.org/news/2018/04/24/remember-rana-plaza>. [↑](#footnote-ref-69)
69. Aruna Kashyap, “When Clothing Labels Are a Matter of Life or Death,” Human Rights Watch commentary, May 2, 2018, <https://www.hrw.org/news/2018/05/02/when-clothing-labels-are-matter-life-or-death>. [↑](#footnote-ref-70)
70. Human Rights Watch, *Workers in the Shadows. Abuse and Exploitation of Child Domestic Workers in Indonesia*, September 2000, <https://www.hrw.org/report/2009/02/11/workers-shadows/abuse-and-exploitation-child-domestic-workers-indonesia>. [↑](#footnote-ref-71)
71. Human Rights Watch, *Bottom of the Ladder. Exploitation and Abuse of Girl Domestic Workers in Guinea*, June 2007, <https://www.hrw.org/report/2007/06/15/bottom-ladder/exploitation-and-abuse-girl-domestic-workers-guinea>. [↑](#footnote-ref-72)
72. Human Rights Watch, *Lonely Servitude. Child Domestic Labor in Morocco*, November 2012, <https://www.hrw.org/report/2012/11/15/lonely-servitude/child-domestic-labor-morocco>. [↑](#footnote-ref-73)
73. “Bahrain: Labor Reforms a Major Advance,” Human Rights Watch news release, May 13, 2009, <https://www.hrw.org/news/2009/05/13/bahrain-labor-reforms-major-advance>. [↑](#footnote-ref-74)
74. “Kuwait: For Abused Domestic Workers, Nowhere to Turn,” Human Rights Watch news release, October 6, 2010, <https://www.hrw.org/news/2010/10/06/kuwait-abused-domestic-workers-nowhere-turn>. [↑](#footnote-ref-75)
75. “Lebanon: Judiciary Failing to Protect Domestic Workers,” Human Rights Watch news release, September 16, 2010, <https://www.hrw.org/news/2010/09/16/lebanon-judiciary-failing-protect-domestic-workers>. [↑](#footnote-ref-76)
76. Human Rights Watch, *“They Deceived Us at Every Step.” Abuse of Cambodian Domestic Workers Migrating to Malaysia*, October 2011, <https://www.hrw.org/report/2011/10/31/they-deceived-us-every-step/abuse-cambodian-domestic-workers-migrating-malaysia>. [↑](#footnote-ref-77)
77. “Tanzania: Migrant Domestic Workers in Oman, UAE Abused,” Human Rights Watch news release, November 14, 2017, <https://www.hrw.org/news/2017/11/14/tanzania-migrant-domestic-workers-oman-uae-abused>. [↑](#footnote-ref-78)
78. “Saudi Arabia: A Step to Aid Migrant Workers,” Human Rights Watch news release, April 10, 2012, <https://www.hrw.org/news/2012/04/10/saudi-arabia-step-aid-migrant-workers>. [↑](#footnote-ref-79)
79. “Singapore: New Contract Shortchanges Domestic Workers,” Human Rights Watch news release, July 21, 2006, <https://www.hrw.org/news/2006/07/21/singapore-new-contract-shortchanges-domestic-workers>. [↑](#footnote-ref-80)
80. “UAE: Proposed Law to Benefit Domestic Workers,” Human Rights Watch news release, May 11, 2012, <https://www.hrw.org/news/2012/05/11/uae-proposed-law-benefit-domestic-workers>. [↑](#footnote-ref-81)
81. “Armenia: Children Isolated, Needlessly Separated from Families,” Human Rights Watch news release, February 22, 2017, <https://www.hrw.org/news/2017/02/22/armenia-children-isolated-needlessly-separated-families>. [↑](#footnote-ref-82)
82. Human Rights Watch, *“Why Are You Keeping Me Here?” Unaccompanied Children Detained in Greece*, September 2016, <https://www.hrw.org/report/2016/09/08/why-are-you-keeping-me-here/unaccompanied-children-detained-greece>. [↑](#footnote-ref-83)
83. ‘Japan: Children in Institutions Denied Family Life,” Human Rights Watch news relase, May 1, 2014, <https://www.hrw.org/news/2014/05/01/japan-children-institutions-denied-family-life>. [↑](#footnote-ref-84)
84. Kaitlin Martin, “Children in Russian Orphanage Allege Rape’” Human Rights Watch dispatch, March 5, 2018, <https://www.hrw.org/news/2018/03/05/children-russian-orphanage-allege-rape>. [↑](#footnote-ref-85)
85. “Senegal: New Steps to Protect Talibés, Street Children,” Human Rights Watch news release, July 28, 2016, https://www.hrw.org/news/2016/07/28/senegal-new-steps-protect-talibes-street-children. [↑](#footnote-ref-86)
86. Heather Barr, “No Shelter in Afghanistan,” Human Rights Watch dispatch, March 19, 2018, <https://www.hrw.org/news/2018/03/19/no-shelter-afghanistan>. [↑](#footnote-ref-87)
87. Human Rights Watch, *Boxed In*. [↑](#footnote-ref-88)
88. Rothna Begum, “How to End 'Honor' Killings in Jordan,” Human Rights Watch commentary, April 3, 2017, <https://www.hrw.org/news/2017/04/03/how-end-honor-killings-jordan>. [↑](#footnote-ref-89)
89. Human Dignity Trust, [*Breaking the Silence: Criminalisation of Lesbians and Bisexual Women and its Impacts*](http://www.humandignitytrust.org/uploaded/Library/Other_Material/Breaking_the_Silence-Criminalisation_of_LB_Women_and_its_Impacts-FINAL.pdf)*,* May 2016, <http://www.humandignitytrust.org/uploaded/Library/Other_Material/Breaking_the_Silence-Criminalisation_of_LB_Women_and_its_Impacts-FINAL.pdf> (accessed September 25, 2018). [↑](#footnote-ref-90)
90. Human Rights Watch, “Malaysia: Two Women Face Caning for Same-Sex Conduct,” August 21, 2018, <https://www.hrw.org/news/2018/08/21/malaysia-two-women-face-caning-same-sex-conduct>. [↑](#footnote-ref-91)
91. Email communication to Human Rights Watch from Tanzanian attorney, September 25, 2018. [↑](#footnote-ref-92)
92. Wendy Isaack, Facing Prosecution for Challenging HIV Policies in Tanzania,” October 20, 2017, <https://www.hrw.org/news/2017/10/20/facing-prosecution-challenging-hiv-policies-tanzania>. [↑](#footnote-ref-93)
93. Human Rights Watch, “Morocco: Drop Homosexuality Charges Against Teenage Girls,” November 25, 2016, <https://www.hrw.org/news/2016/11/25/morocco-drop-homosexuality-charges-against-teenage-girls>. [↑](#footnote-ref-94)
94. Human Rights Watch, “No Choice but to Deny Who I Am: Violence and Discrimination Against LGBT People in Ghana,” January 8, 2018, <https://www.hrw.org/report/2018/01/08/no-choice-deny-who-i-am/violence-and-discrimination-against-lgbt-people-ghana>. [↑](#footnote-ref-95)
95. Robbie Corey-Boulet, “Accused Lesbians in Senegal Freed for Lack of Evidence,” VOA, November 20, 2013, <https://www.voanews.com/a/accused-lesbians-in-Senegal-freed-for-lack-of-evidence/1793998.html> (accessed September 26, 2018). [↑](#footnote-ref-96)
96. Forthcoming Human Rights Watch report. [↑](#footnote-ref-97)
97. Amnesty International and Human Rights Watch, “Uganda: Anti-Homosexuality Act’s Heavy Toll,” May 14, 2014, https://www.hrw.org/news/2014/05/14/uganda-anti-homosexuality-acts-heavy-toll. [↑](#footnote-ref-98)
98. Human Rights Watch, *”All Five Fingers are Not the Same”: Discrimination on Grounds of Gender Identity and Sexual Orientation in Sri Lanka,”* August 15, 2016, <https://www.hrw.org/report/2016/08/15/all-five-fingers-are-not-same/discrimination-grounds-gender-identity-and-sexual>. [↑](#footnote-ref-99)
99. Human Rights Watch, ”United Arab Emirates: Stop Policing Gender Expression,” September 7, 2017, <https://www.hrw.org/news/2017/09/07/uae-stop-policing-gender-expression>. [↑](#footnote-ref-100)
100. Human Rights Watch, *”Do You See How Much I’m Suffering Here?”; Abuse against Transgender Women in US Immigration Detention,”* March 23, 2016, <https://www.hrw.org/report/2016/03/23/do-you-see-how-much-im-suffering-here/abuse-against-transgender-women-us>. [↑](#footnote-ref-101)
101. Human Rights Watch, *“I Needed Help, Instead I Was Punished” Abuse and Neglect of Prisoners with Disabilities in Australia.*  [↑](#footnote-ref-102)
102. Human Rights Watch, *“They Stay until They Die” A Lifetime of Isolation and Neglect in Institutions for People with Disabilities in Brazil*, May 2018, <https://www.hrw.org/report/2018/05/23/they-stay-until-they-die/lifetime-isolation-and-neglect-institutions-people>. [↑](#footnote-ref-103)
103. “Croatia: Locked Up and Neglected,” Human Rights Watch news release, October 6, 2014, <https://www.hrw.org/news/2014/10/06/croatia-locked-and-neglected>. [↑](#footnote-ref-104)
104. Human Rights Watch, *“Treated Worse than Animals” Abuses against Women and Girls with Psychosocial or Intellectual Disabilities in Institutions in India*, December 2014, <https://www.hrw.org/report/2014/12/03/treated-worse-animals/abuses-against-women-and-girls-psychosocial-or-intellectual>. [↑](#footnote-ref-105)
105. Human Rights Watch, *Living in Hell. Abuses against People with Psychosocial Disabilities in Indonesia*, March 2016, <https://www.hrw.org/report/2016/03/20/living-hell/abuses-against-people-psychosocial-disabilities-indonesia>. [↑](#footnote-ref-106)
106. Human Rights Watch, *“It is My Dream to Leave This Place” Children with Disabilities in Serbian institutions*, June 2016, <https://www.hrw.org/report/2016/06/08/it-my-dream-leave-place/children-disabilities-serbian-institutions>. [↑](#footnote-ref-107)
107. Convention on the Rights of Persons with Disabilities (CPRD), adopted December 13, 2006, G.A. Res. 61/106, annex I, U.N. GAOR, 61st Sess., (No. 49) at 65, U.N. Doc A/61/49 (2006), entered into force May 3, 2008 [↑](#footnote-ref-108)
108. UN Commission on Human Rights, Report of the Special Rapporteur on Violence against Women, Rashida Manjoo, Report of the Special Rapporteur on violence against women, its causes and consequences, A/67/227, August 3, 2012, http://www.ohchr.org/Documents/Issues/Women/A.67.227.pdf (accessed December 10, 2013), para. 38. [↑](#footnote-ref-109)
109. “The denial of the legal capacity of persons with disabilities and their detention in institutions against their will, either without their consent or with the consent of a substitute decision-maker, is an ongoing problem. This practice constitutes arbitrary deprivation of liberty and violates articles 12 and 14 of the Convention.” UN CPRD Committee, Committee General Comment No. 1, UN Doc CRPD/C/GC/1, May 19, 2014, para. 40.. [↑](#footnote-ref-110)
110. There is judicial oversight for court-ordered admissions but the woman cannot effectively appeal because she is considered to be of unsound mind. In cases where families admit their relatives, there is no judicial oversight at all unless the duration of stay extends 90 days. [↑](#footnote-ref-111)
111. Human Rights Watch, *Living in Hell: Abuses against People with Psychosocial Disabilities in Indonesia*, March 2016, https://www.hrw.org/report/2016/03/20/living-hell/abuses-against-people-psychosocial-disabilities-indonesia. [↑](#footnote-ref-112)
112. Ibid. [↑](#footnote-ref-113)
113. Human Rights Watch, *“They Stay until They Die”: A Lifetime of Isolation and Neglect in Institutions for People with Disabilities in Brazil*, May 2018, https://www.hrw.org/report/2018/05/23/they-stay-until-they-die/lifetime-isolation-and-neglect-institutions-people. [↑](#footnote-ref-114)
114. Human Rights Watch interview with Carolina [not her real name], near Brasilia, November 18, 2016. [↑](#footnote-ref-115)
115. Human Rights Watch, *“It is My Dream to Leave This Place”: Children with Disabilities in Serbian institutions*, June 2016, https://www.hrw.org/report/2016/06/08/it-my-dream-leave-place/children-disabilities-serbian-institutions; Human Rights Watch, *Croatia: Locked Up and Neglected, Meager Progress on Moving People With Disabilities Into the Community*, October 2014, https://www.hrw.org/news/2014/10/06/croatia-locked-and-neglected. [↑](#footnote-ref-116)
116. Human Rights Watch visits to Panti Social Bina Laras Dharma Guna, Bengkulu, November 14, 2014; Phalla Marta Rehabilitation Center, Sukabumi, November 7, 2014. [↑](#footnote-ref-117)
117. Human Rights Watch, *“It is My Dream to Leave This Place.”* [↑](#footnote-ref-118)
118. Human Rights Watch interview with medical doctor in Stamnica Home for children and adults with disabilities, October 21, 2015; Human Rights Watch interview with medical doctor in the Institution for children and adults with disabilities in Veternik, October 20, 2015; Human Rights Watch interview with a medical doctor, Sremčica Home for children and adults with disabilities, November 16, 2015. The staff in all three institutions did not provide Human Rights Watch with the exact number of young women who were subjected to these treatments. [↑](#footnote-ref-119)
119. Human Rights Watch interview with medical doctor in Stamnica Home for children and adults with disabilities, October 21, 2015; Human Rights Watch interview with medical doctor in the Institution for children and adults with disabilities in Veternik, October 20, 2015, Human Rights Watch interview with a medical doctor, Sremčica Home for children and adults with disabilities, November 16, 2015. The staff in all three institutions did not provide Human Rights Watch with the exact number of young women who were subjected to these treatments. [↑](#footnote-ref-120)
120. Ibid. [↑](#footnote-ref-121)
121. Human Rights Watch interview with institution staff, Bahia, April 5, 2017. [↑](#footnote-ref-122)
122. Elizabeth McEntyre, “How Aboriginal women with disabilities are set on a path into the criminal justice system,” The Conversation, November 13, 2015, https://theconversation.com/how-aboriginal-women-with-disabilities-are-set-on-a-path-into-the-criminal-justice-system-48167 [accessed January 15, 2017]. [↑](#footnote-ref-123)
123. VCOSS, “Request for a Systematic Review of Discrimination Against Women in Victorian Prisons,” http://vcoss.org.au/document/request-for-a-systemic-review-of-discrimination-against-women-in-victorian-prisons/ (accessed April 12, 2017). [↑](#footnote-ref-124)
124. Human Rights Watch, *“I Needed Help, Instead I Was Punished”: Abuse and Neglect of Prisoners with Disabilities in Australia*, February 2018, https://www.hrw.org/report/2018/02/06/i-needed-help-instead-i-was-punished/abuse-and-neglect-prisoners-disabilities. [↑](#footnote-ref-125)
125. Human Rights Watch interview with a nurse (name and details withheld by Human Rights Watch). [↑](#footnote-ref-126)
126. Human Rights Watch, *Double Punishment: Inadequate Conditions for Prisoners with Psychosocial Disabilities in France*, April 2016, https://www.hrw.org/report/2016/04/05/double-punishment/inadequate-conditions-prisoners-psychosocial-disabilities-france. [↑](#footnote-ref-127)
127. International Observatory of Prisons, March 8 – International Women’s Rights’ Day – Incarcerated women: a minority discriminated against in the prison institution, March 8, 2015, http://www.oip.org/index.php/publications-et-ressources/actualites/1185-8-mars-femmes-detenues2 [↑](#footnote-ref-128)
128. Human Rights Watch interview with Yves Bidet, director of the prison for women in Rennes, Rennes, April 16, 2015. [↑](#footnote-ref-129)
129. Human Rights Watch, *They Want Docile,* February 2018, <https://www.hrw.org/report/2018/02/05/they-want-docile/how-nursing-homes-united-states-overmedicate-people-dementia> p. 16 [↑](#footnote-ref-130)
130. Human Rights Watch, *They Want Docile,* February 2018, <https://www.hrw.org/report/2018/02/05/they-want-docile/how-nursing-homes-united-states-overmedicate-people-dementia> p. 2 [↑](#footnote-ref-131)
131. Human Rights Watch, *They Want Docile,* February 2018, <https://www.hrw.org/report/2018/02/05/they-want-docile/how-nursing-homes-united-states-overmedicate-people-dementia> p. 59 [↑](#footnote-ref-132)
132. Human Rights Watch, *They Want Docile,* February 2018, <https://www.hrw.org/report/2018/02/05/they-want-docile/how-nursing-homes-united-states-overmedicate-people-dementia> p. 35 [↑](#footnote-ref-133)