



## **Babies and Small Children Residing in Prisons**

Draft suggested guidelines for drafting legislation, regulations, policies and programmes regarding babies and small children residing in prisons

By Marlene Alejos  
Foreword by Rachel Brett

March 2005

**Quaker United Nations Office**





## **Babies and Small Children Residing in Prisons**

Draft suggested guidelines for drafting legislation, regulations, policies and programmes regarding babies and small children residing in prisons

By Marlene Alejos  
Foreword by Rachel Brett

March 2005

Quaker United Nations Office

The Quaker United Nations Offices located in Geneva and New York represent Friends World Committee for Consultation (Quakers), an international non-governmental organisation with General Consultative Status at the UN. QUNO works to promote the peace and justice concerns of Friends (Quakers) from around the world at the United Nations and other global institutions. It is supported by the American Friends Service Committee, Britain Yearly Meeting, the worldwide community of Friends, and other groups and individuals.

***Author***

Marlene Alejos was born in Guatemala, where she studied economics, political science and international relations. Before joining the United Nations in 1992, Ms Alejos worked in Guatemala with a local non-governmental organization working with children and their communities. She has extensive international experience in human rights, peace and development issues.

This research was conducted in the framework of Ms Alejos' recently completed Executive Master on Children's Rights, offered jointly by the Faculty of Law of the Université de Fribourg and the Institut Universitaire Kurt Bösch of Sion, Switzerland.

***Author contact details***

malejos@infomaniak.ch

***Editor***

Megan Bastick

***March 2005***

Quaker United Nations Office  
13 Avenue du Mervelet  
CH-1209 Geneva  
Switzerland

*Tel* +41 22 748 48 00

*Fax* +41 22 748 48 19

*Email* [quno@quno.ch](mailto:quno@quno.ch)

Further copies of this publication are available to download from our website:  
[www.quno.org](http://www.quno.org).

# CONTENTS

# PAGE

---

|                                  |    |
|----------------------------------|----|
| Foreword.....                    | 3  |
| I Introduction.....              | 5  |
| II International provisions..... | 6  |
| III General issues .....         | 10 |
| IV Specific issues .....         | 13 |

---



## FOREWORD

**The Quaker United Nations Office presents these draft guidelines to stimulate discussion and comment. We urge you to share and redistribute them, to analyse them and to send us comments and suggestions, in order to improve and develop them. Through this process, we aim to be able to contribute to a better recognition and understanding of the situation of babies and children in prison with their mothers, their needs and rights, and the development on an international level of a framework for addressing these.**

These suggested guidelines were developed by Marlene Alejos, and arose from her research into the international and regional legal frameworks, and policies and practices around the world, concerning babies and young children who stay in prison with their mothers. The Quaker United Nations Office has published Marlene Alejos' full research paper, *Babies and Small Children Residing in Prisons*,<sup>1</sup> to encourage greater consideration of the problems and dilemmas raised by the situation of babies and young children in prison with their mothers. We have taken the further step of translating and publishing these suggested guidelines in English, French and Spanish to facilitate broader discussion and comment on them.

### **Our work on women in prison and the children of imprisoned mothers**

In 2003, the Quaker United Nations Office, Geneva, began research on women in prison. Our aims were to better understand why increasing numbers of women are being imprisoned, identify the conditions in which women prisoners are kept around the world, and draw attention to the particular impact that imprisonment has on women. In July 2004, we published *Women in Prison and Children of Imprisoned Mothers: A Preliminary Research Paper*.

In looking into the situation of women in prison, it rapidly became clear to us that imprisonment of women has an enormous impact upon children. In many countries the vast majority of detained and imprisoned women are mothers, and often the sole or main carer of minor children. These children may either be separated from their mother when she is imprisoned, or they may go into prison with their mother for all or some of her term of imprisonment.

Far too little consideration has been given to the situation of both of these groups of children. In particular, the adoption of the Convention on the Rights of the Child has led to the re-evaluation of many aspects of children's lives from a child rights perspective. This does not yet extend to the case of children of incarcerated parents. We hope to promote awareness of the particular needs of children of imprisoned mothers, and contribute to the development of international standards for their care.

### **Rachel Brett**

Representative (Human Rights & Refugees)  
Quaker United Nations Office, Geneva

---

<sup>1</sup> Available, in English only, from the Quaker UN Office, Geneva, or from our website: [www.quono.org](http://www.quono.org).



# **Draft proposal - “Suggested guidelines for drafting legislation, regulations, policies and programmes regarding babies and small children residing in prisons”**

## **I INTRODUCTION**

These guidelines are intended to be a reference tool for drafting and implementing legislation, regulations, policies and programmes, which are in conformity with international standards and respect the human rights of persons deprived of their liberty and the rights of children. They focus in particular on the situation of imprisoned pregnant women and their unborn babies, as well on the situation of imprisoned parents and small children residing in prisons.

International and regional human rights instruments should be used as the framework of principles and standards against which to measure the rights of persons deprived of their liberty, in particular imprisoned pregnant women and children living in prisons. It should be highlighted that international standards are minimum accepted standards which should not prevent those responsible for the drafting of laws, regulations, policies and programmes to further develop them, with a view to offering stronger protections to the population with due consideration for traditions, customs and cultures in different countries of the world.

## II INTERNATIONAL PROVISIONS

Of particular relevance are the following provisions and interpretation by treaty monitoring bodies:

***“All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.”***

*International Covenant on Civil and Political Rights, article 10*

***“Persons deprived of their liberty ... should not be subjected to any hardship or constraint other than that resulting from the deprivation of liberty; respect for the dignity of such persons must be guaranteed under the same conditions as for that of free persons. Persons deprived of their liberty enjoy all the rights set forth in the Covenant, subject to the restrictions that are unavoidable in a closed environment.”***

*Human Rights Committee, General Comment 21 on the rights of persons deprived of their liberty, Forty-fourth session (1992)*

***“Pregnant women who are deprived of their liberty should receive humane treatment and respect for their inherent dignity at all times, and in particular during the birth and while caring for their newborn children; States parties should report on facilities to ensure this and on medical and health care for such mothers and their babies.”***

*Human Rights Committee, General Comment 28 on Article 3 (Equality of rights between men and women), Sixty-eighth session (2000)*

***“The use of imprisonment for certain categories of offenders such as pregnant women or mothers with infants or small children should be restricted and a special effort made to avoid the extended use of imprisonment as a sanction for these categories.”***

*Resolution 19 “Management of criminal justice and development of sentencing policies” of the 8<sup>th</sup> UN Congress on the Prevention of Crime and the Treatment of Offenders<sup>2</sup>*

***“In women’s institutions there shall be special accommodation for all necessary pre-natal and post-natal care and treatment. Arrangements shall be made wherever practicable for children to be born in a hospital outside the institution. If a child is born in prison, this fact shall not be mentioned in the birth certificate.”***

***“Where nursing infants are allowed to remain in the institution with their mothers, provision shall be made for a nursery staffed by qualified persons, where the infants shall be placed when they are not in the care of their mothers.”***

*Standard Minimum Rules for the Treatment of Prisoners (Rule 23(1) and (2))*

***“Measures applied under the law and designed solely to protect the rights and special status of women, especially pregnant women and nursing mothers, children and juveniles ... shall not be deemed to be discriminatory...”***

***“The appropriate authorities shall endeavour to ensure, according to domestic law, assistance when needed to dependent and, in particular, minor members of the families of detained or imprisoned persons and shall devote a particular measure of care to the appropriate custody of children left without supervision.”***

*Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principles 5, 31*

---

<sup>2</sup> Report of the 8<sup>th</sup> UN Congress on the Prevention of Crime and Treatment of Offenders (Havana, 27 August – 7 September, 1990), UN Doc. A/Conf.144/28/Rev. 1, p. 164.

*“Young female offenders placed in an institution deserve special attention as to their personal needs and problems. They shall by no means receive less care, protection, assistance, treatment and training than young male offenders. Their fair treatment shall be ensured.”*

*UN Standard Minimum Rules for the Administration of Juvenile Justice, “The Beijing Rules”, Rule 26(4)*

*“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”*

*“Motherhood and childhood are entitled to special care and assistance. All children ... shall enjoy the same social protection.”*

*Universal Declaration of Human Rights, Article 25*

*“States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.”*

*“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.”*

*“States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.”*

*“State Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.”*

***“States Parties shall ensure to the maximum extent possible the survival and development of the child.”***

***“States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child ...”***

***“States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.”***

***“States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child ...”***

*Convention on the Rights of the Child, articles 2(1),  
3, 6(2), 9(1), 12(1), 18(1)*

The following main international instruments are of relevance:

- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- The UN Standard Minimum Rules for the Treatment of Prisoners
- The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
- The Basic Principles for the Treatment of Prisoners
- The UN Standard Minimum Rules for the Administration of Juvenile Justice, known as ‘The Beijing Rules’
- The UN Rules for the Protection of Juveniles Deprived of their Liberty
- Declaration on the Elimination of Violence against Women

The Convention on the Rights of the Child, almost universally ratified, should provide particular guidance to ensure the realisation of children’s rights, including for children residing in prisons.

### **III GENERAL ISSUES**

#### ***a. Legal framework***

- Appropriate legislation to ensure full compliance with obligations under international human rights law, including the Convention on the Rights of the Child, should be adopted. The supremacy of international human rights and humanitarian law in case of any conflict, as well as the applicability, legal effect and realization of the rights for persons deprived of their liberty and children, should be ensured.
- Provisions contained in the Convention on the Rights of the Child recognizing children as rights-holders, as well as the general principles of non-discrimination, the best interests of the child, the right to life, survival and development of the child and the right of a child to express his/her views on all matters affecting him/her and to have those views given due weight (CRC articles 2, 3, 6 and 12), should be incorporated into all relevant domestic legislation, including the Constitution. The holistic approach of the Convention, recognizing the inter-dependence and indivisibility of human rights, should also be highlighted in the domestic legal framework and all policies affecting children.
- Domestic legislation should recognize the principle that motherhood and childhood are entitled to special care, protection and assistance, and that in all actions concerning children of imprisoned parents, the best interests of the child should be a primary consideration. Legislation should also ensure the necessary support and assistance to families and to imprisoned parents in the performance of their parental and child-rearing responsibilities to secure the child's survival, well-being and development, taking due consideration of the individual and family circumstances, the social services available, the duration of the prison term, the prison facilities and other issues that may directly affect the child.

#### ***b. Policies and strategies***

- Comprehensive rights-based and gender-sensitive national strategies or plans of action for children linked to national development plans, using the Convention on the Rights of the Child as a guiding tool, should be adopted. These plans for children should reflect the highest level of commitment towards the realization of the rights of children, addressing also the problem of children under especially difficult circumstances - in particular the situation of children of imprisoned parents, imprisoned pregnant women and small children residing in prisons – and promoting respect for the right of children to survival, protection, development and participation.
- As part of the national plans for children, specific programmes to secure the realization of the rights of children of persons deprived of their liberty and children residing in prisons should be adopted. The necessary human and financial resources to implement and monitor these programmes and measures should be allocated.

**c. *Cooperation and assistance***

- Coordination among key authorities and agencies responsible for ensuring respect and fulfillment of children's rights, as well as among those to be engaged in providing services and assistance to imprisoned pregnant women and children living in prisons, such as, for example, health, social and education authorities, should be ensured. The development of special collaborative arrangements with non-governmental organizations active in the field of human rights and gender issues and children's rights should also be promoted and facilitated by the relevant authorities, including by the prison authorities.
- The international community has a moral obligation towards children. Whenever countries are not able to respond to the basic needs of their population, they have an obligation to seek and obtain international assistance. Programmes of bilateral and multilateral agencies should seek to contribute to building the necessary capacities to operationalize the application of UN human rights standards and norms, including the Convention on the Rights of the Child. International assistance to facilitate specialized training for prison staff, to improve prison facilities, to facilitate adequate services for imprisoned pregnant women and children residing in prisons, as well as for the overall implementation of national strategies for children, should be secured.
- Sharing of information on good practices and experience of how countries are responding to the situation of imprisoned pregnant women and children residing in prisons, as well as research on the impact of the deprivation of liberty of parents and their dependent children residing in prisons, may assist others in developing appropriate strategies to secure the realization of children's rights.
- The involvement of prison officials, medical staff, social workers, teachers, legislators, judges, prosecutors, lawyers, community-based associations, women's associations, child rights workers, family members, central and local authorities, the private sector and the community as a whole to ensure the realization of children's rights, in particular for those residing in prisons, should actively be encouraged.

**d. *Monitoring***

- Independent monitoring of the situation of imprisoned pregnant women and children residing in prisons should be promoted. Frequent access to the prisons should be granted to relevant institutions - such as, for example, independent national human rights commissions, ombudsmen for children, legislators, community-based groups, church representatives, human rights and humanitarian NGOs and international organizations. Persons conducting monitoring tasks should be allowed to make periodic and unannounced visits to the premises, to meet and to speak freely and in private with imprisoned pregnant women and children residing in prisons.
- Internal mechanisms to monitor the delivery and quality of services for imprisoned pregnant women and small children residing in prisons, and to ensure that the

mechanisms and programmes in place are efficient and meet the needs of the targeted population, should be established. Periodic reporting to competent authorities may assist in building the necessary public trust that conditions and treatment of imprisoned pregnant women and children residing in prisons are up to recognized standards. Reporting may also serve to call the attention of decision-makers to the importance of allocating resources for the programmes.

## IV SPECIFIC ISSUES

### a. *Drafting of prison policies for the management of parents (mothers/fathers) and children residing in prisons*

#### Purpose

- Prison authorities should draft, adopt and implement prison directives/orders/instructions to standardize and facilitate the administration of imprisoned parents (mothers/fathers), imprisoned pregnant women and children residing in prisons. Policies should seek to promote and protect children's rights, in particular, they should support the relationship between the child and primary caregiver and promote the relationship between the person deprived of his/her liberty and his/her family.
- Prison policies should facilitate instructions and guidance on the prison policy and practice to prison staff directly dealing with persons deprived of their liberty and their families, including the regular visits of children to their mother or father.

#### Making the link with international human rights standards

- Prison policies should clarify the domestic and international legal framework.
- Prison policies should be based on internationally recognized human rights standards and should emphasize international obligations, in particular with regard to children's rights and the Convention on the Rights of the Child.
- Prison policies should clearly reflect and state the obligations and commitment towards the realization of children's rights. Policies should establish the general principles contained in the Convention on the Rights of the Child – the principles of non-discrimination, the best interests of the child, the right of the child to life, survival and development and the right to participation - as overarching principles in all actions by the prison authorities concerning children.

#### Defining the rights of parents deprived of their liberty to keep their children in prison

- Prison policies should seek to promote stable and solid relationships between children and their primary care-givers (male or female, those responsible for the care of a child or children).
- Prison policies should preferably provide for arrangements to be made for pregnant women to be placed in community or residential programmes during the pre-natal and post-natal period.
- Policies should make arrangements to allow young imprisoned pregnant women, under the age of 18 years, to remain with their newborns and small children.

- Policies should seek to define separation plans and procedures. Separation plans should be agreed well in advance to ensure the understanding and acceptance of the separation by all parties affected. Arrangements for alternative care for children, as well as to support the children and parents in the process, should be envisaged in close cooperation with the social authorities. Counselling for parents and children should be envisaged.

#### Establishing an age-limit

- Prison policies should strongly advocate for the fostering of the mother-child and father-child relationship and encourage/support parents to develop and maintain their relationship with their children, including by allowing children to reside in prisons until a certain age, to be determined in accordance with local customs and traditions, and on a case-by-case analysis.
- Efforts to ensure protection of the right of newborn babies and small dependent children not to be separated from their parents unless such separation is necessary for the best interests of the child, should be made. The abrupt separation of mother-children should be avoided.
- Arrangements for children residing in prisons to leave the prisons at any time should be made if it is considered to be in the best interests of the child.

#### Defining the decision-making process

- Prison policies should clearly define the decision-making process, taking due consideration of the rights of all persons directly affected – mothers, fathers and children – and establishing the necessary mechanisms, in accordance with the legal framework, to allow all those concerned to actively participate in the decision-making process, ensuring that children are recognized as rights-holders, and that in all actions concerning them, the best interests of the child should be a primary consideration.
- Prison policies should promote and facilitate the participation of children in the decision-making, taking due consideration of their age.

#### Defining the application procedure and eligibility criteria

- Prison policies should ensure that simple, transparent and expeditious application procedures are established for imprisoned parents to be authorized to participate in any short/longer term child-parent programme. Applications should be reviewed by a multi-disciplinary Board and decisions should be based on clear pre-established criteria, which should address: child protection and safety issues, the child-primary care-giver relationship, the legal and custody status of the child, information about the family network or alternative care options for the child, psychological reports of the parent and child, information on the legal status of the parent submitting the application, information on the social services to be made available to the child, and any other pertinent information that might be relevant to the understanding of what would be in the best interests of the child. Appeal procedures should also be secured.

- The necessary information on existing programmes should be made available promptly to parents deprived of their liberty, and it should clearly explain the application procedures, eligibility criteria, authorization process, conditions for participation in any such programme, as well as other options available to parents in support of the exercise of their parental responsibilities and to facilitate their continuing link with their family members, in particular small dependent children. The necessary legal and socio-economic assistance should be provided to parents in this regard.

#### Raising awareness

- Prison policies should promote awareness of children's rights as an essential part of the work of prison officials and others working with children.

### ***b. Management of parents and children residing in prisons***

#### Responsibility for the children

- Prison policies should clearly establish the responsibilities of the prison authorities, as well as those of the parent deprived of their liberty, with regard to the health and safety of the child residing in prison. Policies should encourage the assessment of specific needs and ensure the preparation, jointly with social authorities, of a child support and care plan.

#### Record keeping

- Policies should ensure that the presence of children, as well as the transfer/release of persons deprived of their liberty accompanied by children residing in prison, is recorded. Confidential records of children residing in prisons should be kept, preferably by social authorities.
- Policies should provide for the necessary arrangements to allow children residing in prisons to go out with an authorized adult. Visits to family members, as well as to external community services, should be facilitated and supported by the prison authorities.

#### Birth registration

- Policies should promote and facilitate the birth registration of children born in prison. The fact that children were born in prison should not be mentioned in the birth certificate.

#### Facilities and special allowances for children

- Separate clean, safe, drug-free and child-friendly facilities for parents and children should be made available by the prison system. Space with appropriate outdoor play facilities for children should be provided.

- Accommodation of persons deprived of their liberty with children residing in prison should be open, and free from locks and bars.
- Persons deprived of their liberty with children residing in prison should preferably be accommodated in individual rooms with adequate space, allowing for their privacy. Sleeping accommodation should meet health requirements and secure sufficient natural and artificial lighting, adequate ventilation, adequate sanitary installations, a shower/bath with sufficient clean water at a temperature suitable to the climate, and heating.
- Policies should make the necessary budgetary arrangements for children to receive basic bedding, clothes, as well as diapers and basic toiletries.
- Persons deprived of their liberty with children residing in prison should have access to clean and safe facilities to prepare food for children. Basic cooking utensils and equipment should be provided.

#### Food

- Prisons should be provided with the necessary additional financial resources to secure a balanced diet for pregnant women and small children. The preparation of food and the quantity and quality of the food should be monitored by medical officers.
- Supplementary diet requirements and appropriate milk for pregnant and breastfeeding women and infants should be provided by the prison system.
- Access to sufficient safe drinking water should be guaranteed.

#### Health issues

- Qualified medical staff should monitor the overall physical and mental health of persons deprived of their liberty and children residing in prison. Emergency plans to respond to urgent health matters of children residing in prison, including the transfer of children to hospitals, should be in place.
- Mothers' and children's access to health care services and medicines, including to reproductive health care and medical attention, gynaecological services and paediatricians, should be facilitated.
- Prison staff and persons deprived of their liberty should receive training in first aid, as well as on the basic principles for the health and nutrition of children, the advantages of breastfeeding and environmental sanitation, and the prevention of accidents.
- Free physical education and outdoor sports activities should be facilitated for persons deprived of their liberty and small children of suitable age, as appropriate.
- Counselling services for parents and children, as well as parenting-skills training, should be provided.

- Children residing in prisons should have access to health services at least consistent with community standards.

#### Work

- Prison policies should envisage establishing nurseries in prisons to allow persons deprived of their liberty to be able to participate in educational, sports and income generating activities.

#### Treatment of persons deprived of their liberty and children living in prisons

- Prison policies should prohibit the shackling and use of restraints on imprisoned women during pregnancy, during transport to a hospital or clinic, during labor, and immediately after the child is born. Shackling during labor may cause stress and cause medical complications during the delivery, compromising the health of the mother and the baby.
- Disciplinary measures and punishment of persons deprived of their liberty with children residing in prisons should be regulated by law and should conform to international standards.
- Policies and laws should prohibit and require sanctions for the use of physical disciplinary measures and corporal punishment of children residing in prisons.
- Prison authorities should also establish the necessary mechanisms to protect children residing in prisons from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of the parent or any other person.

#### Safety and security of children

- Policies should seek to ensure the safety and security of children residing in prisons. Measures to ensure a drug-free environment, as well as adequate and safe facilities and equipment, should be put in place.
- The children's presence in the institution should be verified at least during each count of all persons deprived of their liberty.
- Intrusive searches of children residing in prisons should not be permitted. Body searches of any kind should be prohibited and clear instructions on how to proceed in case of reasonable suspicion that a child may be carrying illegal objects should be adopted. Searches of children should only be conducted in the presence and with the authorization of the parent deprived of his/her liberty.
- In the event that force is to be used in prisons where children are residing, necessary measures should be taken to remove children from the area or to isolate them prior to any intervention. The use of force and firearms or any other means, such as tear gas, in prisons with children should be generally prohibited.

- Instruments of restraint, such as handcuffs or chains, should never be used on children residing in prisons.

Family and community contacts

- Policies should facilitate the contact of children residing in prison with their families outside the prison, without any restriction.
- Systems to enable children to go out of the prison, to parks and community centers, should be established, in particular for children that do not have access to their families outside the prison.



## Women in prison and the children of imprisoned mothers

In 2003, the Quaker United Nations Office (Geneva) and the Quaker Council for European Affairs (Brussels), in conjunction with Quaker Peace and Social Witness (UK) and the Friends World Committee for Consultation (Quakers) representatives to the UN Commission on Crime Prevention and Criminal Justice, began research on women in prison. Our aims were to better understand why increasing numbers of women are being imprisoned, identify the conditions in which women prisoners are kept around the world, and draw attention to the particular impact that imprisonment has upon women.

In looking into the situation of women in prison, it rapidly became clear to us that imprisonment of women has an enormous impact upon children. In many countries the vast majority of detained and imprisoned women are mothers, and often the sole or main carer of minor children. These children may be separated from their mother when she is imprisoned, or they may go into prison with her.

These draft guidelines for developing laws, policies and programmes regarding children residing in prisons arose from Marlene Alejos' research into the international and regional legal frameworks, and policies and practices around the world, concerning babies and young children who stay in prison with their mothers. The Quaker United Nations Office, Geneva, has published Marlene Alejos' full research paper, *Babies and Small Children Residing in Prisons*, separately.

We have published these suggested guidelines in English, French and Spanish to better facilitate their discussion within and amongst different regions.

**We urge you to share and redistribute these draft guidelines, to analyse them and add to them, and to send us comments and additions in order to improve and develop them.**

Through this process, we aim to be able to contribute to the development on an international level of a framework for meeting the needs and upholding the rights of children in prison with their mothers. Please contact us at the address below.



**Quaker United Nations Office**

13, Avenue du Mervelet, 1209 Geneva, Switzerland

[www.quno.org](http://www.quno.org)

[quno@quno.ch](mailto:quno@quno.ch)