



Global Partners in Action: NGO Forum on Sexual and Reproductive Health and Development

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Sexual and Reproductive Health and Rights

This awkward term, adopted because its parts are so interrelated, has become integral to any successful programme to slow population growth and address poverty and economic development. Every year, millions of people -- mostly women and children in the developing world -- sicken and die from reproductive health problems that are readily preventable or treatable with existing low-cost measures. Discrimination on the basis of gender or sexual orientation takes an additional toll, costing society billions in lost productivity.

Sexual and reproductive health and rights include the full spectrum of education, information, affordable and effective supplies and services necessary to allow all couples and individuals to decide freely and responsibly the number, spacing and timing of their children, and to attain the highest standard of sexual and reproductive health. These rights also include the right to make decisions concerning sexual behavior and reproduction free of discrimination, coercion and violence.

The Situation

Embodying principles of equality and empowerment for women, rather than numerical targets, the term *sexual and reproductive health and rights* has generated opposition from entrenched conservative forces.

Sexuality

A fundamental aspect of human nature, sexuality is so powerful and universal that every culture surrounds it with custom, celebration, taboo, law, ritual and legend. Problems arise when these clash with rational provision of health care, or with individual human rights -- usually women's.

- > The HIV/AIDS pandemic makes it crucial that history's largest generation of young people -- more than 1.5 billion strong -- learns safe ways of exploring and expressing their sexuality.
- > Globalization has raised pressure for change in sexual mores in some places and sparked strong reaction against change in others, often before political systems are ready to address the resulting conflicts.
- > Most national legal frameworks assume and favor traditional sexual orientations and behaviors, either punishing or failing to protect non-traditional approaches.

Reproductive health

This is not just the absence of illness but a state of complete physical, mental and social well-being in all matters related to the reproductive system and to its functions and processes. When couples have access to high-quality reproductive health services, including sexual and family planning information, counseling and safe and effective contraception, they are more likely to meet their reproductive health goals.

Reproductive rights

Early marriage, female genital mutilation/cutting, unintended pregnancy and violence are violations of a woman's right to make decisions involving her own body. A new international commitment to the goals of equality, development and peace for all women arose from commitments made during the United Nations Decade for Women (1976-1985) and in the cycle of United Nations global conferences in the 1990s.

- > The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is a United Nations treaty on the rights of women adopted in 1979. Also called an international bill of rights, it defines discrimination against women and outlines actions to foster greater equality. To date, 179 countries have ratified it, committing themselves to its principles.
- > The Platform for Action of the 1995 Fourth World Conference on Women, adopted by representatives from 189 countries, recognized that the right of women to control their sexuality is an indivisible part of their human rights, which cannot be fully realized without it.
- > The UN Declaration of Commitment on HIV/AIDS, from September 2000, pledges to "empower women to

have control over...matters related to their sexuality..."

- > Security Council Resolution 1325, passed unanimously on Oct. 31, 2000, was the first to specifically address the impact of war on women and to spotlight women's contributions to conflict resolution and sustainable peace.
- > Adopted in 1993, the UN Declaration on the Elimination of Violence Against Women defines violence against women and calls on states to take specific measures against it.
- > Regional conventions and declarations, such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women, identify regionally specific definitions of rights that apply in those regions.

Abortion politics

- > Abortion is among women's most common gynecological experiences: some 41.6 million pregnancies are terminated every year.
- > That global rate varies little whether the procedure is legal or illegal, but abortion bans cause women's death and disability rates to soar. Where abortions are legal and performed safely, such rates tend to drop significantly. Because of restrictive laws, some 95 percent of abortions in Africa and Latin America and about 60 percent in Asia (excluding Eastern Asia) are unsafe.¹
- > Unsafe abortion is a critical issue of public health, social and economic justice, and human rights.

Several countries have reformed abortion laws in the context of broader national discussions about women's rights to equality and non-discrimination.

- > South Africa, after adopting its post-apartheid constitution recognizing citizens' civil and political rights in 1996, enacted the Choice on Termination of Pregnancy Act (CTOP), which affirms women's social rights.
- > Nepal's gender equity law recognizes links between the rights to inherit, to divorce and to terminate pregnancies safely.
- > In Ethiopia, a coalition of women's groups, medical professionals and legal experts emphasized women's right to reproductive self-determination and noted the health consequences of unsafe abortion in their successful arguments for liberalizing access to abortion.
- > Courts in Bolivia, Colombia and Mexico have upheld women's right to safe abortion care.
- > Governments in Ethiopia, Ghana, Zambia, Cambodia, India and Nepal, among others, are acting to increase access for women to safe abortion care through national health systems.
- > The Federal District of Mexico offers free abortion services through public health facilities.²

The ICPD Commitment

References to sexuality, sexual orientation and sex education were the main areas of controversy during negotiation of the Cairo Consensus and in all subsequent reviews and references to it. It challenged traditional norms of sexuality by affirming the right of all people to have the information and materials needed to make their own sexual and reproductive choices free of coercion, discrimination and violence.

The Cairo Consensus defines reproductive health to include access to abortion in circumstances where it is legal. The outcome document from the UN General Assembly's 1999 Cairo + 5 review added:

"In circumstances where abortion is not against the law, health systems should train and equip health-service providers and should take other measures to ensure that such abortion is safe and accessible."

Areas for Action

- > No global programme of action or international treaty has yet explicitly included the terms "sexual rights" or "sexual orientation" – this should be corrected.
- > Eliminating unsafe abortion is necessary to achieve MDG 5 targets and to ensure fewer maternal deaths and better reproductive health.

¹ Ipas, "Fast Facts on Abortion and Reproductive Health," Ipas, New York, 2009, http://www.ipas.org/Publications/asset_upload_file853_3785.pdf (accessed Aug. 11, 2009)

² For a full discussion of these case studies, see IPAS, "Ensuring Women's Access to Safe Abortion: A Key Strategy for Achieving Millennium Development Goals," Chapel Hill, NC, 2009, <http://righttomaternalhealth.org/resource/ensuring-access-to-safe-abortion> (accessed Aug. 3, 2009)