



# General Assembly

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## Human Rights Council

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Agenda item 3

### Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

**Cameroon,\* Fiji and Monaco\*\*: draft resolution**

#### **47/... Menstrual hygiene management, human rights and gender equality**

*The Human Rights Council,*

*Guided by the purposes and principles of the Charter of the United Nations,*

*Recalling* General Assembly resolution 74/141 of 18 December 2019, in which the Assembly recognized that the lack of access to adequate water and sanitation services, including for menstrual hygiene management, especially in schools, workplaces, health centres and public facilities, negatively affects gender equality, the empowerment of women and girls and their enjoyment of human rights, including the right to education and the right to the enjoyment of the highest attainable standard of physical and mental health,

*Recalling also* all previous resolutions of the Human Rights Council and the General Assembly relevant to the human rights to safe drinking water and sanitation, and to menstrual hygiene, including Assembly resolutions 70/169 of 17 December 2015, 72/178 of 19 December 2017 and 74/126 of 18 December 2019, and Council resolutions 33/10 of 29 September 2016, 39/8 of 27 September 2018 and 45/8 of 6 October 2020,

*Bearing in mind* that the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of Racial Discrimination, the Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child and the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families include guarantees to ensure the enjoyment of human rights by women and men, and girls and boys, on an equal footing,

*Recalling* the Vienna Declaration and Programme of Action, which reaffirms that all human rights, including the right to development, are universal, indivisible, interdependent and interrelated, the Programme of Action of the International Conference on Population and Development and the Beijing Declaration and Platform for Action,

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\* On behalf of the States Members of the United Nations that are members of the Group of African States.

\*\* State not a member of the Human Rights Council.



*Recalling also* the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),

*Reaffirming* General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative goals and targets, and reaffirming also the commitment to leave no one behind,

*Recalling* General Assembly resolution 71/222 of 21 December 2016, by which the Assembly proclaimed the period from 2018 to 2028 the International Decade of Action, “Water for Sustainable Development”,

*Recalling also* that the human rights to safe drinking water and to sanitation are derived from the right to an adequate standard of living, and are inextricably related to the right to the enjoyment of the highest attainable standard of physical and mental health and to the right to life and human dignity,

*Noting* that the right to the enjoyment of the highest attainable standard of physical and mental health includes access to medical care and medicines to identify and treat menstruation-related health issues or pain, and to information relating to menstrual hygiene management,

*Expressing concern* at the adverse effect of the health issues relating to menstrual hygiene, and the lack of access to appropriate information and treatment in this regard,

*Deeply concerned* that the lack of access to adequate water and sanitation services, especially for menstrual hygiene management, in schools, workplaces, health centres and public facilities and buildings, negatively affects gender equality and women’s and girls’ enjoyment of human rights, including the rights to education, to health and to safe and healthy working conditions, and to participate in public affairs,

*Recognizing* that girls’ and women’s attendance at school and professional fulfilment can be affected by negative perceptions of menstruation and discrimination, and the lack of means to maintain safe personal hygiene, such as water, sanitation and hygiene facilities in schools and work environments that meet the needs of girls and female teachers, and further that this has a severe impact on their dignity and well-being, as well as on their right to education and to employment,

*Recognizing also* that the full, meaningful and effective participation of women of all ages in all fields, including the participation of women in leadership at all levels of decision-making in public and private sectors, is essential for the full realization of their human rights and the full and complete economic, political social and cultural development of a country, and for achieving lasting solutions to global challenges and the realization of peace,

*Noting with regret* that a large number of women and girls, particularly women and girls with disabilities, who face compounding levels of discrimination, and those in vulnerable situations continue to face discrimination based on harmful social norms and stereotypes, making it difficult for them to manage their menstrual hygiene safely and with dignity,

*Deeply concerned* that the lack of adequate and accessible sanitation and hygiene facilities increases women’s and girls’ vulnerability to violence, including sexual violence and harassment, as well as to child, early and forced marriage,

*Mindful* that the silence, stigma, misconceptions and taboos around menstruation, the lack of adequate access to menstrual hygiene products or to medical care and medicines to identify and treat health issues relating to menstrual hygiene, and the absence of appropriate information and education on menstrual hygiene management undermine the dignity, rights and well-being of women and girls, and constitute therefore an obstacle to the achievement of gender equality,

*Stressing* that situations of economic, humanitarian and health crisis, including the coronavirus disease (COVID-19) pandemic and its resulting social isolation and economic,

social and health impacts, exacerbate existing challenges to menstrual hygiene management, especially for women and girls with disabilities,

*Noting* that the management of used menstrual hygiene management products is often neglected, resulting in inappropriate and unsafe disposal practices and leading to unsanitary living conditions and environmental degradation, as well as to health risks,

*Recognizing* that all harmful practices, including female genital mutilation, when perpetrated against girl children, have particularly detrimental consequences for their health and growth and pose specific challenges to menstrual hygiene management, and recalling in that regard the need to guarantee the right of girl children to be free from all forms of violence,

*Noting* that none of the core international human rights instruments deals explicitly and directly with the issue of menstrual hygiene, and regretting that, despite the efforts made by relevant bodies and mechanisms within the United Nations human rights system, including in particular the treaty-monitoring bodies and the special procedures of the Human Rights Council, this issue continues to receive limited attention in policy, research, programming and resource allocation,

*Underscoring* that States have the primary responsibility to ensure the full realization of all human rights, including those relating to menstrual hygiene, and must take steps, nationally and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, to respond fully to menstrual hygiene needs by all appropriate means, including in particular through the adoption of relevant legislative measures,

*Stressing* the importance of an effective remedy to violations of economic, social and cultural rights, including those relating to menstrual hygiene management, and in this regard of judicial, non-judicial and other appropriate remedies, including procedures initiated by or on behalf of individuals or, as appropriate, groups of individuals, and also of adequate procedures to avoid infringements of such rights,

1. *Calls upon* States to ensure that women and girls have access to adequate facilities, information and products for optimal and effective menstrual hygiene management, including by taking measures:

(a) To ensure that women and girls, including in particular those in vulnerable situations, have equitable access to affordable, safe and clean water, adequate sanitation, hygiene and washing facilities with soap, including a choice of menstrual hygiene products, such as sanitary pads that are safe, culturally sensitive and environmentally friendly;

(b) To eliminate or reduce sales taxes on menstrual hygiene management products, including sanitary pads, and to provide support to women and girls in situations of economic vulnerability;

(c) To develop safe and efficient infrastructures and means of transport for the delivery of sanitary pads and other menstrual hygiene products in rural or isolated areas, including humanitarian settings, and to reduce the digital divide among and within countries in order to increase access to information about menstrual hygiene in these areas;

(d) To ensure that women and girls, including those with disabilities, have access to separate and adequate basic sanitation facilities in public and private spaces, including affordable and accessible disposal options for used menstrual hygiene management products;

(e) To ensure that women and girls with disabilities and those in vulnerable situations have free access to medical care and medicines to prevent, identify and treat health issues relating to menstrual hygiene;

(f) To conduct publicity and awareness-raising campaigns to tackle the stigma, shame, stereotypes and negative social norms surrounding menstruation and menstrual hygiene, such as the requirement that women and girls isolate themselves during menstruation or wear dark school uniforms, in order to foster a culture in which menstruation is recognized as healthy and natural, and to ensure that men and boys are also included in all educational initiatives;

(g) To integrate menstrual hygiene management into relevant national policies, including water, sanitation and hygiene programmes and emergency preparedness and response programming, and to promote women's and girls' access to adequate and accessible information and education on menstrual hygiene management, including within family units and out-of-school settings;

(h) To include information on progress made and challenges affecting menstrual hygiene management in relevant periodic reports to the human rights treaty bodies and to the Working Group on the Universal Periodic Review, as well as in the context of existing regional and other human rights review processes, as appropriate;

2. *Urges* States to ensure access to infrastructure and public services, including access to safe and affordable water and sanitation, as well as menstrual hygiene management for all women and girls, and safe and affordable transportation, inter alia during humanitarian emergencies, including in rural areas and informal settlements, settlements for internally displaced persons, refugee camps, and migrant shelters;

3. *Decides* to convene a panel discussion on menstrual hygiene management, human rights and gender equality at its fiftieth session, inviting States, civil society organizations, United Nations agencies, women and girls and other relevant stakeholders to address the implementation of States' obligations under relevant provisions of international human rights law, and to discuss challenges and best practices in this regard, and requests the United Nations High Commissioner for Human Rights to prepare a summary report on the panel discussion, and to submit it to the Human Rights Council at its fifty-third session;

4. *Also decides* to remain seized of the matter.

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