



# General Assembly

Distr.: General  
6 August 2014

English only

---

## Human Rights Council

Advisory Committee

Thirteenth session

11 - 15 August 2014

Item 2(a) (iv) of the provisional agenda

Requests currently under consideration by the Committee

Promotion and protection of human rights in post-disaster and post-conflict situations

### **Written statement\* submitted by the Catholic Family and Human Rights Institute, Inc. (C-FAM), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 July 2014]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-10370 (E)



\* 1 4 1 0 3 7 0 \*

Please recycle A recycling symbol consisting of three chasing arrows forming a triangle.



**Written Statement at the 13th Session of the Human Rights Advisory Committee, of C-FAM, an organization in special consultative status with the Economic and Social Council of the United Nations.**

1. Protecting the human rights of persons in conflict and post-conflict situations is one of the greatest challenges of multi-lateral initiatives. The UN plays a fundamental role in bringing peace to countries in conflict situations and humanitarian efforts before and after conflict. The moral responsibility of UN agents is nowhere more evident than in post-conflict situations, where countries and their populations are especially vulnerable and rely heavily on assistance from the UN and other outside help to rebuild families, societies, and infrastructure, as well as legal and political systems.
2. Bearing this in mind, C-FAM is alarmed and troubled by the directive of the Secretary-General to UN agents to promote abortion as a form of reparation for sexual violence in the Guidance Note of the Secretary-General on Reparations for Conflict-Related Sexual Violence released in June 2014. This directive should not be included in the report of the Advisory Committee to the HRC.
3. The Secretary-General directive to promote abortion is nothing short of a betrayal of trust in the UN, and a scandalous moral failure. There is no mandate for such a directive in international law, UN resolutions or other UN process. The only source cited by the Secretary-General for this directive is the opinion of experts of the CEDAW committee, who are not competent to deal with abortion, since CEDAW gives the committee no mandate to promote abortion as a right, or health issue, or under any circumstance.
4. In addition to the lack of authority for this directive, there is no basis for saying that liberalizing abortion in cases of rape can prevent sexual violence. In fact, there is evidence that legal abortion is an essential element for sex abusers and sex traffickers to get away with their crimes. Far from helping to reduce sexual violence, legal abortion can be used to further propagate the evil of sexual violence. Reports abound of perpetrators of sexual violence who make use of abortion to hide their crimes. This abuse can only become worse in post-conflict situations where law enforcement is inadequate and victims of violence lack access to justice and legal redress for crimes committed against them.
5. Quite aside from the moral and legal implications of the Secretary-General's directive, it is bad health policy. Making abortion legal in post-conflict situations exposes mothers to unnecessary health risks. Abortion exposes mothers to more risks of complications than carrying a pregnancy to term. The risks increase exponentially in later stages of gestation. Health systems in post-conflict situations already struggle to provide the hygiene and quality of care necessary to make motherhood safe for women, and cannot be expected to deal safely with additional complications from abortion. In addition, mothers would have no guarantee of the necessary follow-ups to prevent complications from either medical or surgical abortions given the precariousness of health facilities in post-conflict situations.
6. Victims of sexual violence in conflict and post-conflict situations have expressed the need for concrete measures to improve their lives and the enjoyment of their human rights. Abortion is not one of them. In 2011 the Office of the High Commissioner for Human Rights carried out surveys in the Democratic Republic of Congo. Victims of sexual violence expressed the need for acceptance, health, education, job training, and work for both themselves and their children. They never said they would have preferred that their children had not been born. Making abortion legal would only stigmatize mothers and children who are victims of rape even further.
7. In addition to the human rights of unborn children, also the conscience rights of religious entities that provide health care in post-conflict situations must be borne in mind. Many religious health providers object to abortion on both legal and moral grounds. Directives like the one issued by the Secretary-General with regards to abortion could jeopardize the participation of these health providers in post-conflict situations by limiting their funding and opportunities to intervene.

8. Finally, abortion can never be treated as just another medical procedure, or a right of any kind since it involves the destruction of an innocent human being. There is no basis in human rights law or humanitarian law for a right to abortion under any circumstance. This should not change. Indeed, it cannot.

9. We invite the Committee to accept the moral responsibility that accompanies the task of tackling sexual violence in conflict situations and disregard the flawed and dangerous approach of the Secretary-General's guidance note. The human rights of women in vulnerable situations should not be used as a tool for social engineering.

---