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**Follow-up to the Fourth World Conference on Women
and to the special session of the General Assembly, entitled
“Women 2000: gender equality, development and peace
for the twenty-first century”: implementation of strategic
objectives and action in critical areas of concern and
further actions and initiatives**

Statement submitted by Women’s Global Network for Reproductive Rights, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



Statement

Challenges and achievements in the implementation of the Millennium Development Goals for women and girls

Women's Global Network for Reproductive Rights represents over 1,000 organizations and individuals from 73 countries working towards the fulfilment of the sexual and reproductive health and rights of all.

While recognizing the substantial progress made over the last decade and a half towards the achievement of the Millennium Development Goals through implementation of the Programme of Action of the International Conference on Population and Development, among other international agreements that recognize sexual and reproductive health and rights as human rights and promote their inclusion as part of national, regional and international policy frameworks, it should be stated that such progress has not been universal and that many countries are still failing to meet the targets set out in the agreements.

We continue to see a high correlation between poverty and child and maternal mortality in the countries that have failed to meet the targets agreed under the Millennium Development Goals development framework. There is a lack of real commitment to ensure the right of women and girls to decide upon all aspects of their reproductive health, including the right to choose whether to continue or end a pregnancy. All efforts to curb the high rates of maternal mortality (Millennium Development Goal 5) will remain fruitless until they address the issue of unsafe abortion. Unsafe abortion is one of the leading causes of maternal mortality. An estimated 47,000 women die each year because of unsafe abortion, which accounts for an estimated 13 per cent of maternal deaths worldwide. Five million women are hospitalized each year for treatment of abortion-related complications, such as haemorrhage and sepsis. Almost all abortion-related deaths occur in developing countries, with the highest number in Africa, followed by Asia and Latin America.

Access to safe and legal abortion is a human right. When Governments deny women this basic right they endorse and tolerate institutional violence against women.

Since 1994, when 179 Governments signed the Programme of Action of the International Conference on Population and Development, signalling their commitment to prevent unsafe abortion, more than 25 countries worldwide have liberalized their abortion laws. However, seven countries in Latin American and the Caribbean — Chile, Nicaragua, El Salvador, Honduras, Haiti, Suriname and the Dominican Republic — still prohibit access to abortion under all circumstances, even to save a woman's life, and nearly 80 other countries maintain severely restrictive laws on abortion.

Most of the countries with severe antiabortion laws are in the Global South. Even though access to safe and legal abortion was achieved in most of the industrialized countries in Europe and North America during the period of liberal reforms between 1950 and 1985, there are a number of worrying trends and challenges that are representative of the ongoing rise of religious, political and economic extremism, resulting in the imposition of restrictive measures preventing women from accessible and affordable abortion services.

As a result of the lack of commitment by Governments to create progressive legal frameworks to address unsafe abortion, and as a result of restricting access to safe abortion because of pressure by conservative lobbies, women and girls suffer grave human rights violations, for example:

(a) Maternal mortality and morbidity. Criminalization of abortion forces women to continue unwanted pregnancies, even in cases when it is the result of rape, or a threat to her health and life; this is equivalent to the act of torture, as noted by international human rights bodies. In other cases illegality has pushed women to put their lives and personal integrity at risk by resorting to unsafe services;

(b) Injustice. Women and girls are regularly stigmatized and criminalized and many have lost their freedom. For example, in El Salvador, Brazil and Mexico women and adolescent girls have been reported to the authorities by the service providers who attended to them for complications of unsafe abortions, spontaneous abortions, premature birth complications, stillbirths or other obstetric emergencies. After facing a repressive justice system that violated the presumption of innocence, in some cases women found themselves facing very severe penalties, ranging from 20 to 40 years in prison;

(c) Stigma and discrimination. Young, poor and unmarried women are disproportionately affected by the criminalization of abortion. When they terminate their pregnancy they do so in high-risk situations; this makes illegal abortion an issue of social injustice deeply rooted in discrimination on the basis of economic, ethnic, racial, class and immigration status, among others. The stigma that surrounds abortion and women's human rights defenders working for its legalization contributes to the social, medical and legal marginalization of the issue. As a result, advocates of abortion rights have been harassed and criminalized because they have challenged a patriarchal system that suppresses women's rights.

We need to hold Governments accountable to their existing commitments and continue to take action to ensure that national policies guarantee effective access to safe, legal, affordable, accessible, high-quality, youth-friendly abortion services, along with information about how to locate and access such services. It is also vital that the existing commitment to provide access to safe and legal abortion is included in the outcomes and recommendations of the International Conference on Population and Development and the Millennium Development Goals review processes, which will inform the development of the sustainable development goals and the post-2015 development agenda.

The new development agenda must firmly establish the right to access safe and legal abortion.

Governments around the world are currently involved in the process of evaluating the achievements of the present global development agenda, expressed in eight visionary Millennium Development Goals. We cannot talk of sustainable development without respect for the human rights of women and girls in all their dimensions.

We believe that in order to address the failures of the last 20 years and have a holistic, forward-looking and relevant post-2015 development agenda, sexual and reproductive health and rights must be central to the goals and targets and extend beyond the narrow confines of "maternal health care" or "reproductive health". The

new development agenda should draw on existing progressive international documents such as the Plan of Action on Sexual and Reproductive Health and Rights (Maputo Plan of Action) and the outcome documents of recent International Conference on Population and Development reviews, such as the Bali Global Youth Forum Declaration, the Chair's summary of the Economic Commission for Europe regional conference, "Enabling choice: population priorities for the twenty-first century" held in Geneva, and the Montevideo Consensus on Population and Development, which covers sexual and reproductive health and rights and comprehensive sexuality education and asks Governments to consider reviewing the laws that criminalize abortion. Sexual and reproductive health and rights should include abortion rights, pleasure, young people's access to contraceptives, sexual orientation and gender identity, particularly for the most vulnerable, such as women, young people, sex workers, and lesbian, gay, bisexual, transgender and queer people. Human rights must be explicitly referenced, with the understanding that any meaningful efforts towards sustainable development must posit that people are the drivers of development rather than passive receivers of aid.

In the light of the urgency of addressing denial of access to safe and legal abortion as a human rights violation, and with reference to the process of evaluating the challenges and achievements in the implementation of the Millennium Development Goals for women and girls, we recommend the following.

The Commission on the Status of Women should consider the failure of States to meet Goal 5 from the perspective that the reason for such failure was partially the omission from the agenda of access to safe and legal abortion, in compliance with prior international commitments such as the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights, the International Conference on Population and Development Programme of Action, the Maputo Protocol and other international human rights treaties.

The Commission should recommend the inclusion of access to safe and legal abortion as a human right in the revision of the Millennium Development Goals and emphasize the necessity of including sexual and reproductive health and rights as the core principle of the new development agenda.

The following demands around access to safe and legal abortion should be reflected in the new development agenda:

- (a) Decriminalization of abortion: removal of all legal and implementation barriers to ensure access to safe, comprehensive, free and high-quality procedures for pregnancy termination, free of requirements for marital or parental consent;
- (b) Immediate release of young people and women imprisoned owing to the criminalization of abortion, especially in countries where the prohibition is absolute;
- (c) Provision of accurate and scientifically sound information on access to safe and legal abortion to the entire population, without discrimination, and steps to limit the stigma and misinformation relating to abortion;
- (d) Removal of sociocultural barriers that reinforce gender stereotypes about motherhood and stigmatize women and girls, preventing them from making free and informed decisions about their sexuality and their own bodies;

(e) Ensuring that HIV programming includes a sexual and reproductive health and rights component and gives women a choice of treatment options, including whether to continue a pregnancy or not;

(f) Ensuring access to comprehensive sexuality education that is gender sensitive and to life-skills training in a manner consistent with the evolving capacity of adolescents and young people;

(g) Ensuring universal access to contraception, including emergency contraception, of high quality and variety, that is user friendly and appropriate to the needs of girls, adolescents and women, while ensuring confidentiality.

The Commission should reflect on the role played by the women's human rights defenders and call for an end to the harassment, criminalization and aggression aimed at sexual and reproductive health and rights advocates; and for Governments to ensure the security and integrity of defenders threatened by repressive mechanisms of the State or by civil groups advocating hatred and fundamentalism.
