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Statement submitted by Federation for Women and Family Planning, 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

The Federation for Women and Family Planning calls for guaranteeing sexual and reproductive health and rights as a basic part of women's full and universal human rights in the post-2015 development agenda. There is a fundamental need for a stand-alone goal on gender equality, which includes sexual and reproductive health and rights, as well as for gender mainstreaming throughout all the goals, targets and indicators.

Adopted by all 189 United Nations Member States and additionally at least 23 international organizations, the Millennium Development Goals formed a commitment of the world leaders who committed to addressing the most burning global issues. This unique partnership aimed to achieve set targets by 2015, worldwide. The strength of the Millennium Development Goals lay in being global and fair. Each and every Member State took on the same obligations to meet the exact same targets, within the same deadline, regardless of its geographical location, affluence or position in the international arena. Millennium Development Goals encompass the whole world's effort to make real change. Not somewhere else, but locally, on the States' own ground. As 2015 is fast approaching, it is now time to assess the progress, look into the challenges and, most importantly, draw useful conclusions for the future development agenda.

Poland can serve as an example of mixed and uneven progress. Yes, there are areas where a lot has been improved. However, this is not enough to celebrate. Women in Poland are still denied one of the most fundamental human rights — the right to make free, independent reproductive choices. Without it, it is hard to talk about real improvement in their lives and reaching Millennium Development Goals, particularly gender equality, women's empowerment and universal access to reproductive health. For the last 20 years Poland has had one of the most restrictive abortion laws in the world — and still does. The Family Planning Act criminalizes termination of pregnancy in all but three cases: when there is a risk to woman's health or life; when the pregnancy is a result of a crime or in case of severe foetus malformation. The procedure under any other circumstances is illegal. If this wasn't enough of a challenge, the law is even more restrictive in practice than on paper. This regulation extremely limits women's rights as in reality there is hardly any access to legal abortion in Poland, which was repeatedly reported by various international human rights bodies, including the European Court for Human Rights, the Human Rights Council and the Special Rapporteur on the Right to Health. Cases *Tysiac vs. Poland*, *R.R. vs. Poland* and *P. and S. vs. Poland* represent each premise for legal abortion with the whole possible range of obstacles to access it. In rulings in all these cases the European Court for Human Rights explicitly describes how Poland violates the fundamental human rights of its female citizens and constantly denies them access to basic reproductive health services they are fully entitled to, as well as dramatic consequences of these violations for Polish women's lives, health and well-being. One of them is the "chilling effect" caused by the criminalization of termination of pregnancy. Since the anti-abortion law punishes service providers, as a result many doctors refuse to perform any legal abortions for fear of being accused of inappropriate assessment and thus facing charges. Additionally, tremendous misuse of conscientious objection can be observed with whole hospitals claiming it, also due to the heavy pressure of anti-choice groups. In some parts of Poland it leaves the whole regions without effective access to this basic and safe health

service women are entitled to. Official governmental statistics talk about 669 legal procedures conducted in 2011 — in a country with population of about 38 million which proves total inaccessibility of the service. According to the Federation's estimates, every year over 100,000 women decide to terminate their pregnancies. The survey conducted recently in Poland proved that nearly one third of Polish women (about 5 million) women have had at least one abortion. Faced with the dramatic circumstances of an unwanted pregnancy, women are forced to risk their health and life and turn to abortion underground, or seek help abroad, if they manage to collect enough money. None of the Governments over the last 20 years has shown any interest in tackling these phenomena. As the law punishes anyone who "convinced" or in any way helped the woman have an abortion, many women in unwanted pregnancies are either completely alone or their partners, friends or families risk imprisonment. Women themselves do not face any charges, but they usually don't know that and live in great fear for many, many years.

Being unable to make free, independent reproductive choices is a cross-cutting challenge in achieving Millennium Development Goals worldwide. Poland is no different. Otherwise, how is it possible to reach gender equality and women's empowerment, which are absolutely fundamental to true sustainable development?

Yet, the substantial growth of religious extremism throughout Central and Eastern Europe, including Poland, poses a major challenge to the realization of women's rights. This radicalization heavily affects Polish citizens, particularly women, as they face numerous obstacles in exercising their rights. There is a serious backlash towards the majority of projects ensuring gender equality, eliminating violence against women and girls or improving access to sexual and reproductive health services. Even worse, it has tremendous influence on the decision makers and service providers. Religious and conservative forces in Poland oppose the introduction of comprehensive sexuality education, subsidized contraception, access to legal and safe abortion and other reproductive health services. Women and young people face countless obstacles in exercising their sexual and reproductive rights and accessing sexual and reproductive health services. They are denied the basic right to understand and control their own fertility, which results in forced parenthood and causes intersectional discrimination. They are not able to prevent unwanted pregnancies, plan to provide for their families or themselves, reduce the risks of work or school dropout or protect themselves from sexually transmitted infections, including HIV. Unintended pregnancies for many girls and women mean the end of education or income generation that drastically increases the risk of poverty, often accompanied by stigma and social exclusion. In far too many cases they lead to unsafe abortions that threaten women's health or life. Suffering of women from vulnerable groups is even more dramatic. This reality and its harmful consequences are preventable to a large extent.

Instead of working towards solutions that support reaching true equality and guarantee sexual and reproductive health and rights, the Polish Parliament discussed a bill that would further restrict already extremely limited access to legal abortion as it would criminalize the procedure in cases of foetal malformation. This cruel proposal was rejected, but it had been the third attempt to introduce further restrictions to the anti-abortion law in the last three years, and probably will not be the last.

It is hard to think seriously about achieving sustainable development without universal recognition of sexual and reproductive rights and universal access to sexual and reproductive health, with particular focus on women and young people. Guaranteeing those fundamental rights and securing funds to improve the current situation globally are fundamental components of reaching substantial improvement in other aspects of development — education, health, inequality, violence and poverty reduction. The new post-2015 sustainable development agenda must have a gender-lens perspective and recognize that being able to make free, independent reproductive choices is an interlinked key to all the development doors.
