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Oral Statement – Sexual Rights Initiative¹

Thank you, Chair. I deliver this statement on behalf of the Sexual Rights Initiative.

The health and wellbeing of all is central to the achievement of sustainable development and to the realization of human rights. Within this, sexual and reproductive health are recognized as “integral elements”² of the right to health and yet, are often marginalized. This results, inter alia, in early and unintended pregnancies; preventable maternal deaths, injury and disability, including from unsafe abortions; and sexually transmitted infections including HIV. The neglect of sexual and reproductive rights and health hinders the achievement of sustainable development.

Narrow health interventions alone are inadequate to achieve meaningful and sustainable progress in the areas of sexual and reproductive health. Applying a human rights-based approach to policy formulation, institutional strengthening and programme design, implementation and evaluation is essential to improve sexual and reproductive health. In this regard, the United Nations system has made significant contributions to the development of normative framework and policy guidance on the application of a human rights-based approach to the realization of the right to health, particularly sexual and reproductive health.

The legal framework on the right to sexual and reproductive health has been summarized by the Special Rapporteur on the right to health³ as comprising, on the one hand, freedom from violence and discrimination, and on the other, entitlements to sexual and reproductive health information, education and services, as well as access to underlying determinants of health such as education, female literacy and empowerment. The Committee on Economic, Social and Cultural Rights, through its General Comments 14 and 16, and the Committee on the Rights of the Child, through its General Comment 4, affirm that the realization of women and adolescents’ right to health requires the removal of legal and all other barriers interfering with access to sexual and reproductive health information, education and services. The Committee against Torture has expressed concerns⁴ about restrictions on access to abortion and about absolute bans on abortion as violating the prohibition of torture and ill-treatment.

¹ The Sexual Rights Initiative is a coalition of organizations working to advance human rights related to sexuality and gender in international law and global policy, and comprises of Action Canada for Population and Development (ACPD), Akahata, Coalition for African Lesbians, Creating Resources for Empowerment in Action (CREA), Egyptian Initiative for Personal Rights (EIPR) and Federation for Women and Family Planning (Federa).

² Commission on Human Rights resolution 2003/28, preamble and para 6

³ E/CN.4/2004/49

⁴ CAT/C/PER/CO/4

The Special Rapporteur on violence against women⁵ has made recommendations to States relating to sexual and reproductive rights and health policy, programming, training, research and data collection, and collaboration with civil society. Both the Special Rapporteur on the right to education,⁶ and the *International Technical Guidance on Sexuality Education* developed by UNESCO in collaboration with UNAIDS, UNFPA, UNICEF and WHO, provide guidance to States on how to develop sexuality education curricula with the participation of multiple stakeholders including young people, and implement programmes so that they reach all children and youth. They also recommend to States to establish constructive accountability measures and to eliminate any legislative and constitutional barriers to the enjoyment of the right to comprehensive sexuality education.

Further, the OHCHR technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality outlines the process to be followed at the national level to lead to sustainable and human rights-based improvements to women and girls' health and rights. This includes social and political transformation, empowerment of and meaningful participation by marginalized communities, legal and policy reform and international assistance, based on the principles of accountability, transparency, sustainability and non-discrimination.

The post-2015 development framework must be grounded in international human rights standards, and in its implementation all stakeholders, including governments, must utilize a human rights-based approach. States have obligations to ensure the realization of all human rights, including sexual and reproductive rights and rights to sexual and reproductive health, and their development commitments must be in consonance with these obligations.

⁵ E/CN.4/1999/68/Add.4

⁶ A/65/162