

**Committee:** Human Rights Council (HRC)

**Issue:** Female reproductive health rights

**Student Officer:** Faye Gotsopoulou

**Position:** Deputy President

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## **INTRODUCTION**

Female reproductive rights are the legal rights and freedoms which are related to the physical, mental and social well-being in all matters regarding women's reproductive system and with due regard to the right to legal and safe abortion; the right to birth control; freedom from coerced sterilization and contraception; the right to access good-quality reproductive healthcare; the right to education and access in order to make free and informed reproductive choices; the right to receive education about sexually transmitted infections and other aspects of sexuality, right to menstrual health and protection from practices such as female genital mutilation (FGM).

Despite its status as a fundamental human right, it varies regarding each country. Nowadays, the issue of female reproduction and sexual health is one of utmost importance since access to reproductive and comprehensive sexual health is considered a fundamental human right. While research regarding women's reproductive rights has been conducted, the results can be characterized as highly disturbing: 214 million women around the world lack access to contraception, and more than 800 women die daily from causes related to pregnancy and childbirth, something preventable if taken into consideration. According to the World Health Organization, around 25 million unsafe abortions occur globally every year, almost all in developing countries.

Such and more statistics show the urgency of the matter and prove why drastic measures should be taken. Furthermore, the fact that the issue is highly related to other fundamental human rights, such as the right to freedom, the right to legal and safe abortion, the right to education, and the right to healthcare must be taken into consideration.

## **DEFINITION OF KEY TERMS**

### **Female Reproductive health rights**

The legal rights and freedoms related to the physical, mental, and social well-being in all matters regarding women's reproductive systems. Nowadays, these rights are considered

fundamental human rights while they are directly related to other fundamental human rights, such as the right to freedom, health, and education.

### **Abortion**

A medical or surgical procedure which leads to the removal of the fetus.

### **Unsafe abortion**

An abortion conducted by persons lacking necessary skills and knowledge, in an environment that does not meet up the minimal medical standards or both. Therefore, serious complications are caused to women's reproductive system.

### **Sexual Assault**

A sexual act or behavior forced upon a man, woman or child without their consent.

### **Female Genital Mutilation**

All procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.<sup>1</sup>

## **BACKGROUND INFORMATION**

### **Sexual Assault**

Violence against women and girls is closely linked to the denial of access to sexual and reproductive health and rights. Specifically, sexual assault is considered a grave violation of human and female reproductive health rights – meaning that many women do not have control over their body and their fertility, which can lead to long-term trauma, mental and physical instability, as well as cause complications and injury to women's sexual and reproductive health. Sexual assault is highly linked to health care rights. There is a high demand for health care for sexual assault survivors, which should cover all psychological, social, and physical aspects. Violence against women, including sexual abuse, was only recognized as a human rights violation after the UN World Conference on Human Rights in

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<sup>1</sup> "Female Genital Mutilation." *World Health Organization*, World Health Organization, [www.who.int/news-room/fact-sheets/detail/female-genital-mutilation](http://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation).

Vienna in 1993. Still, it is not a fully-covered issue, and many women worldwide lack the appropriate provision. Another critical aspect that needs forethought is the fact that sexual assault can lead to unwanted pregnancy. Nearly 3 million women in the United States experienced rape-related pregnancies in their lifetime. Rape-related pregnancy is an issue that remains mostly unaddressed. Apart from the law, that in some countries permits women to have an abortion when pregnancy occurs, more attention needs to be put in women's mental health: Sexually transmitted diseases, infections, trauma, depression, and other mental illnesses are all results of sexual assault that need to be addressed.

### **Facts on Sexual Assault**

Every 92 seconds, an American is sexually assaulted, while the ages with a higher risk of sexual assault are 12-25. Around 80.600 inmates are sexually harassed in prison each year, and research shows that they are most likely to be assaulted by corrections officers and staff. Consent cannot be given if the person is under the age of 16, mentally disabled, intoxicated, unconscious, or drugged.

### **Abortion**

According to the World Health Organization, each and every woman should have the right to decide freely upon any action related to her body, sexual and reproductive health, including abortions. Access to safe and legal abortion is vital for the realization of women's reproductive health rights while undergoing unsafe abortion can cause trauma, as well as harm a woman's health. WHO defines health as physical, mental, and social well-being, absence of infections, disease, and generally malfunctions of the reproductive system. Moreover, statistics show that 1 in 4 women that undergo unsafe abortions are likely to develop a temporary disability and genital malfunctions, requiring medical care.

Women often resort to unsafe abortions when such barriers occur: restrictive laws, high expenses, stigma, and even poor availability of services. A big part of the issue lies on ages 15-17. Every second that passes, the abortion count globally goes up by one. Each year, more than 25 million unsafe abortions occur, out of which 8 million are carried out in the least-safe and dangerous conditions.

### **Key-facts on abortions**

Between 2010-2014 around 56 million abortions, both safe and unsafe, occurred worldwide each year. 25% of all pregnancies result in abortion, while the abortion rate is higher in developing countries, most of them being unsafe. The risk of dying from and unsafe

abortion is higher in Africa than any other continent, and the annual cost for treating infections from unsafe abortions and other complications is around 553 million dollars. Almost every unsafe abortion would be prevented through sexual education, provision of contraception, the legalization of abortions, and adequate health care for any occurring complication.



Abortion ban in Kenya drives women to unsafe abortions.

### Contraception

The benefits of contraception are now well-known in society: preventing unwanted pregnancies, Sexually Transmitted Diseases (STD's) as well as infections, and also preventing unsafe abortions. However, the rate of unintended pregnancy is now at 45%, while 75% of them are amongst ages 15-19. Notably, many Less Economically Developed Countries (LEDC's) do not have access to any means of contraception due to their financial instability. In other areas, religion discourages women from using any means of contraception, including the pill, condoms, and

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<sup>2</sup> Mutua Data analyst, Michael. "Kenya's Marie Stopes Ban May Drive More Women to Unsafe Abortions." *The Conversation*, 1 Apr. 2020, [theconversation.com/kenyas-marie-stopes-ban-may-drive-more-women-to-unsafe-abortions-107911](https://theconversation.com/kenyas-marie-stopes-ban-may-drive-more-women-to-unsafe-abortions-107911).

sterilization. Increasing the use of contraception methods in developing countries has cut the number of maternal deaths by more than 40% in the past years.

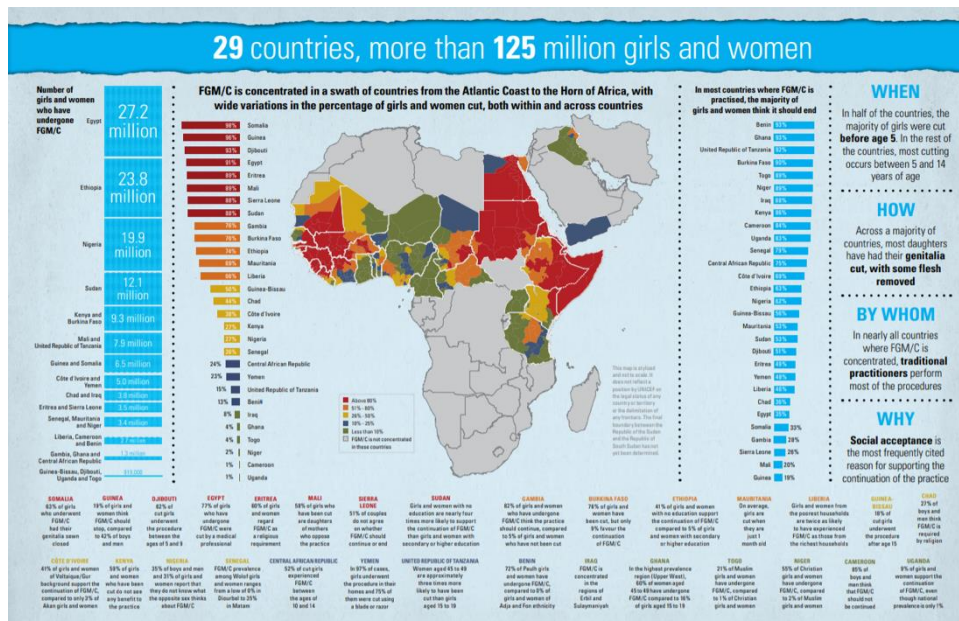
### **Female Genital Mutilation**

Female Genital Mutilation (FGM) is internationally considered a human rights violation, as well as a violation of women's reproductive health rights. It indicates in a considerable amount the inequality women face even today, while it is an extreme form to discriminate them in society. FGM also violates the rights to privacy, freedom, health, and the right to be free from torture. More than 3 million women are at risk of FGM each year, and more than 200 million women alive today have gone through FGM. It is considered a global concern while the practice is concentrated in the Western, North, and Eastern regions of Africa, as well as in some countries in the Middle East and Asia. UN has set 2030 the date when FGM would end. However, activists find that very unlikely given the numbers of FGM in Africa.

FGM is considered a major tradition in many countries, since it is said to prepare women for adulthood and marriage, as well as raise them properly. It also indicates that women's genitals only have the purpose of reproducing and that any other behavior is unacceptable. It aims to ensure premarital virginity and "pureness". Therefore, it is easy for one to understand how it degrades women in society, allowing men to take advantage of them and taking control of their actions and choices.

FGM has no health benefits, and it only causes harm to the female body. Some of its effects are immense pain, excessive bleeding, high fever, infection, urinary problems, childbirth complications, and even death.

However, apart from all the excessively dangerous effects, it can have on the woman's body, women are traumatized and go through tremendous shock and psychological problems such as depression and other mental illnesses.



Number of women who have gone through FGM-Statistics and research.

## MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

### Dominican Republic

The Dominican Republic altogether prohibits abortions, even if they are life-threatening or a result of sexual assault. Women who induce abortions can have up to 2 years of imprisonment, while professionals who provide them can have up to 20. Many women have put their lives at risk, while compilations regarding unsafe abortions and miscarriage cause at least 8 percent of maternal deaths.

### South Africa

In South Africa, women, not knowing where to access safe abortions, seek illegal adoption centers and uncertified providers. This is also caused by judgmental staff, stigma from their communities as well as concerns over confidentiality, and a very high cost.

### Somalia

Somalia has the world's largest Female Genital Mutilation, with a rate of 98% of all Somalian women. The coronavirus outbreak led to a considerable rise, while 290,000 more

<sup>3</sup> "29 Countries, More than 125 Million Girls and Women." *Unicef.org*, [www.unicef.org/protection/files/00-FMGC\\_infographiclow-res.pdf](http://www.unicef.org/protection/files/00-FMGC_infographiclow-res.pdf).

girls are estimated to be cut by the end of 2020. The Ramadan is a traditional time for them to go through FGM.

### Ethiopia

In Ethiopia, the rate of FGM is 65% in ages 15-49. Even children below the age of 4 were illegally cut, while not even violence against women and girls is penalized in the country.

## Domestic Legal Framework

Overview of Domestic Legal Framework in Ethiopia	
<i>The Constitution explicitly prohibits:</i>	
X	Violence against women and girls
✓	Harmful practices
X	Female genital mutilation (FGM)
<i>National legislation:</i>	
X	Provides a clear definition of FGM
✓	Criminalises the performance of FGM
✓	Criminalises the procurement, arrangement and/or assistance of acts of FGM
X*	Criminalises the failure to report incidents of FGM
X*	Criminalises the participation of medical professionals in acts of FGM
X*	Criminalises the practice of cross-border FGM
✓	<i>Government has a strategy in place to end FGM</i>

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### Egypt

A survey conducted by UNICEF showed that 87% of girls from ages 15-49 had gone through FGM. Egypt banned FGM in 2008; however, there has been no prosecution yet, and the ban has not been well enforced.

### United States of America

The USA is one of 45 countries that have banned over-the-counter birth control. In the USA, there are 20.8 abortions in 1000 people. Honduras, a country in Latin America, has legally banned emergency birth control while imposing imprisonment on women who use it, as well as doctors who provide it to them. Abortion is also prohibited in Honduras, as well as North Dakota, Missouri and others, and in 33 states, abortion is only permitted for the first few weeks or only on emergencies such as sexual assault and risk of death. Some states are debating upon completely banning abortion.

<sup>4</sup> Thomson Reuters Foundation. "ETIOPIA, THE LAW AND FGM". July 2018. PDF file. [https://www.28toomany.org/static/media/uploads/Law%20Reports/ethiopia\\_law\\_report\\_\(july\\_2018\).pdf](https://www.28toomany.org/static/media/uploads/Law%20Reports/ethiopia_law_report_(july_2018).pdf)



In the United States, the issue of Sexual Assault is on rise. Nearly 1 in 5 women in the USA have been sexually assaulted at least once in their lifetime, while 80% of the victims were below the age of 25.

## **China**

Unlike the United States of America, China's one-child policy has led to forced abortions. Due to overpopulation, until October 2016, every woman in China had to give birth to one child only. Now, the policy has changed, allowing women to have up to two children. However, due to the limit the country has set, women have no other option but to have an abortion if they get impregnated with a third child.

## **UNICEF**

UNICEF, an organization that continually fights for Human Rights, takes action upon the matter of Female Genital Mutilation and gender equality.

"UNICEF supports the development of policies and laws focusing on ending and outlawing FGM and works to ensure their implementation and enforcement. We also help to provide girls at risk of FGM, as well as FGM survivors, with access to proper care, while mobilizing communities to transform the social norms that uphold the practice."<sup>5</sup>

## **NATIONAL ABORTION FEDERATION (NAF)**

The National Abortion Federation (NAF) supports women and their choices while informing them of their options and expectations. It helps by providing them with healthcare, abortion clinics, and professionals while conducts several seminars they can attend.

## **WORLD HEALTH ORGANIZATION (WHO)**

The World Health Organization (WHO) focuses on sexual violence, contraception, FGM, and generally, women's reproductive rights. It mainly educates people on sexual abuse, its effects, how contraception is beneficial, and FGM and its complications. Its website contains links and sources, as well as information on how to help.

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<sup>5</sup> "Female Genital Mutilation." *UNICEF*, 5 Feb. 2020, [www.unicef.org/protection/female-genital-mutilation](http://www.unicef.org/protection/female-genital-mutilation).



**TIMELINE OF EVENTS**

	<b>A timeline of reproductive rights- USA</b>
1821	Connecticut bans abortions.
1860	Twenty states limit abortions.
1976	Colorado liberalizes abortion laws.
1970	Abortions are available in Alaska, Hawaii, New York, and Washington.
1972	The supreme court legalizes contraception for unmarried people.
1991	Doctors are prohibited from educating people on abortions.
1994	The Freedom of Access to Clinic Entrances (FACE) Act forbids the use of force so as to prevent women from providing or receiving reproductive health services.

**UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS**

Resolution 2011/1 Fertility, reproductive health and development

A UN resolution addressing human rights and emphasizing female reproductive health, sexual rights, all regarding law and social development.

[https://www.un.org/en/development/desa/population/pdf/commission/2011/documents/C PD44\\_Res2011-1b.pdf](https://www.un.org/en/development/desa/population/pdf/commission/2011/documents/C PD44_Res2011-1b.pdf)

"Intensification of efforts to eliminate all forms of violence against women."

A UN resolution addressing violence against women, regarding religion and tradition as well.

<https://digitallibrary.un.org/record/736408>

Resolution adopted by the General Assembly: United Nations action on sexual exploitation and abuse

A UN resolution of the General Assembly regarding sexual assault and abuse against women.

<https://undocs.org/A/RES/71/278>

Ending female genital mutilation

A UN resolution that focuses on eliminating FGM by law and ensuring that all already applied laws regarding FGM are implemented. It is a powerful resolution and covers all aspects of the issue.

[https://www.un.org/womenwatch/daw/csw/csw52/AC\\_resolutions/Final%20L2%20ending%20female%20genital%20mutilation%20-%20advance%20unedited.pdf](https://www.un.org/womenwatch/daw/csw/csw52/AC_resolutions/Final%20L2%20ending%20female%20genital%20mutilation%20-%20advance%20unedited.pdf)

## **PREVIOUS ATTEMPTS TO SOLVE THE ISSUE**

Female reproductive rights are now internationally considered fundamental human rights since their violations also violate multiple other fundamental human rights. Governments are trying to impose punishments for those who violate them in any way; however, they are still neglected in many parts of the world, especially in Africa. Even though the law prohibits actions such as Female Genital Mutilation and sexual assault in most countries of the world, measures have not yet been implemented, and the law is not strict enough, especially when it comes to Female Genital Mutilation.

Furthermore, organizations take action for those whose rights were violated, trying to provide them with adequate health care, even though the women struggling are way too high. There are many expenses and cases; therefore, it is not easy to take immediate action for everyone.

## **POSSIBLE SOLUTIONS**

In order to provide effective and complete solutions, you need to take every aspect mentioned in this study guide into deep consideration. As shown from above, the topic could be sectioned into different aspects, which all need to be covered in your clauses: sexual assault, abortions, contraception (which are highly related to one another), and also Female Genital Mutilation.

### **Legislation**

First and foremost, legislation plays a vital role when it comes to both abortion and sexual assault. Not only penalizing sexual assault but also permitting abortions should be a part of the resolution. Of course, it depends on each country's policy; therefore, each country should make the appropriate adjustments to their clauses.

### **Social Aspect**

Next, social stigma is also a significant reason why women go through unsafe pregnancies. As a result, the normalization of abortions and the right for each woman to decide what to do with their bodies is an excellent way to address the issue.

## Education

Education has a significant role in the topic, while many uneducated women are led to one-way roads; Women need to be educated and have their options shown to them. Awareness needs to be raised in smaller communities and developing countries, but also in developed countries that do not go through FGM, since it is an issue that to many still remains unknown or neglected.

## Humanitarian Aid

Regarding sexual abuse survivors and women who have gone through Female Genital Mutilation, adequate health care must be provided in any way, such as organizations, centers, and facilities for both mental and physical trauma. It is urgent to cover both physical and mental health and ensure their safety and recovery.

All things considered, emphasis needs to be put on the women whose rights have been violated, as well as ensure that the rates of women struggling decrease.

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