

STATEMENT BY HUMAN RIGHTS, WOMEN'S RIGHTS AND HEALTH
GROUPS ON THE OCCASION OF THE PRESENTATION OF THE REPORT BY
ANAND GROVER, UN SPECIAL RAPPORTEUR ON THE RIGHT TO HEALTH,
TO THE UN GENERAL ASSEMBLY

24 October 2011

We, the undersigned human rights, women's rights and health organizations, welcome the report (A/66/254) of the UN Special Rapporteur on the right to health, Anand Grover, to the UN General Assembly presented on 24 October 2011 as a milestone in the struggle for the full realization of the right to health for all.

The report exposes the many detrimental effects on individuals' health, equality, bodily integrity, dignity, and decision-making capacity resulting from criminal laws and other misguided legal restrictions that governments frequently impose in violation of sexual and reproductive rights: restrictions on abortion, restrictions on contraception, the criminalization of women's conduct on the basis that they are pregnant (such as criminal sanctions for drug use or alcohol consumption during pregnancy) and restrictions on access to full, complete, and accurate information on sexual and reproductive health.

The majority of states which spoke during the General Assembly's interactive dialogue on the report expressed the view that it makes a useful contribution to existing guidance on implementing the right to health. In a joint statement with the World Health Organisation and UNAIDS, UNFPA stated that the report supports states' efforts to respect, protect and fulfil human rights. Our organisations welcome such responses in support of the report and its importance within the mandate of the Special Rapporteur.

We believe this report is of fundamental importance in securing the right to health, in particular because:

1. The report consolidates years of health and human rights legal analysis by many UN experts, who are mandated by UN Member States to promote the full and equal enjoyment of human rights by all persons. These studies jointly support the conclusion that criminal law is often an inappropriate tool for regulating sexual and reproductive health matters.
2. The report uses empirical evidence compiled by UN technical agencies to support the conclusion that the misuse of criminal laws and punitive policies in the area of sexual and reproductive health cause disproportionate suffering for women; people engaging in same sex sexual conduct; people identified as lesbian, gay, bisexual and transgender persons; those living with HIV or AIDS; and other groups who already suffer discrimination.
3. The report contains clear and detailed recommendations for States, including a call to immediately decriminalize abortion, ensure access to a full range of modern contraceptive methods, and facilitate access to full, complete, and accurate information on sexual and reproductive health.

Our own research and experience supports the conclusions of this report as well as the validity of its recommendations. We look forward to working with States to further the implementation of these recommendations in the fulfilment of their international human rights obligations.

Action Canada for Population and Development
AKAHATA
Amnesty International
ARC International
Asian-Pacific Resource & Research Centre for Women
Association for Women's Rights in Development
Catholics for Choice
Center for Reproductive Rights
Center for Women's Global Leadership
CREA
Egyptian Initiative for Personal Rights
Federation for Women and Family Planning, Poland
GREFELS (Research Group on Women and Laws in Senegal)
Human Rights Watch
INFORM Human Rights Documentation Centre
International Federation of Health and Human Rights Organisations
International Federation of Gynecology and Obstetrics (FIGO)
International Planned Parenthood Federation
International Women's Health Coalition
Ipas
Irish Family Planning Association
Marie Stopes International
National Advocates for Pregnant Women
Planned Parenthood Federation of America
Physicians for Human Rights
Sexual Rights Initiative
Sexuality Policy Watch / ABIA
Shirkat Gah Women's Resource Centre
Women's Global Network for Reproductive Rights
Women Human Rights Defenders International Coalition
Women Living Under Muslim Laws International Solidarity Network - Africa and Middle East
Women's Learning Partnership International Coalition for Rights, Development & Peace