

DEMYSTIFYING SEXUAL REPRODUCTIVE HEALTH RIGHTS AND SEXUAL REPRODUCTIVE HEALTH & SERVICES DILEMMA:

FACT SHEET



WITH SUPPORT FROM



INTRODUCTION

Comprehensive approach to Sexual Reproductive Health Rights (SRHR) is crucial and indeed a game changer. The way forward is the full realisation of Sexual Reproductive Health Rights for every individual, no matter who they are or where they live, seizing the opportunity and putting adolescents at the very centre of our efforts. This includes dismantling all the barriers whether economic, social, legal or institutional that inhibits free and informed choices and people's enjoyment of their rights and full equality. Of importance is also acknowledging a component of SRHR which is access to the services. Universal access to SRH services calls for a well-functioning health system with adequate human and financial resources, which is responsive to the needs of all sections of the population. Reproductive health care services should be available in adequate numbers; accessible physically and economically; accessible without discrimination; and of good quality. This fact sheet therefore provides insights of what Sexual Reproductive Health Rights (SRHR), Sexual Reproductive Health (SRH) and Sexual Reproductive Health Services (SRHS) are, how they can be realised and in addition a set of recommendations for key decision makers.

WHAT ARE SEXUAL REPRODUCTIVE HEALTH RIGHTS?

Sexual and Reproductive Health and Rights (SRHR) are a concept of human rights applied to sexuality and reproduction. Every individual has the right to make their own choices about their sexual and reproductive health. The International Conference on Population and Development (ICPD) Programme of Action stipulates that reproductive rights are connected with the right to the highest attainable standard of sexual and reproductive health.¹ Reproductive rights are a constellation of freedoms and entitlements that are already recognized in national laws, international human rights instruments and other consensus documents. Thus Reproductive rights refer to a diversity of civil, political, economic, social and cultural rights affecting the sexual and reproductive life of individuals. Rather, the main United Nations and regional human rights instruments protect the various elements of reproductive rights. Various declarations and similar documents adopted by consensus by all of the world's nations and further developed in the practice of the United Nations and regional human rights bodies confirm the diverse and rich nature of reproductive rights.

WHAT IS SEXUAL REPRODUCTIVE HEALTH AND SEXUAL REPRODUCTIVE HEALTH SERVICES?

Sexual and reproductive health (SRH) is an important aspect of normal personal growth and development that encompasses biological sex, gender roles and identity, sexual orientation, sexual behaviour, and reproduction.² Achieving healthy adolescent sexual development involves managing the physical, social, and emotional changes experienced during adolescence. Medically accurate and developmentally appropriate SRH education and barrier-free access to related clinical services contribute to successful navigation of this developmental task. In

¹International Conference on Population and Development (ICPD) Programme of Action.

²World Health Organization. Defining sexual health: Report of a technical consultation on sexual health

recognition of this important fact, the United Nations declared that comprehensive sexual health information and services constitute a basic right for adolescents as articulated in the United Nations Convention on the Rights of the Child.³ To support the adolescent's right to the highest attainable standard of health, the Convention specifically identifies "the right to control one's health and body, including sexual and reproductive freedom to make responsible choices," and this right is achieved through "access to a range of facilities, goods, services and conditions that provide equality of opportunity for every child." Further the right to the highest standard of sexual and reproductive health contains the access to a comprehensive package of health services including voluntary family planning, abortion where it is not against the law, post abortion care, ante- and post-natal care, both for mother and for child, and to prevention and treatment for sexually transmitted infections (STIs), including HIV/AIDS and access to comprehensive sexuality education. As set out above, such services must be truly available to all, including marginalized and vulnerable groups who are also the groups most likely to have reproductive health threatened like our young persons.

HOW TO REALISE THESE RIGHTS FOR THE YOUNG PERSONS?

Human rights standards have not only underscored the right to sexual and reproductive health as an integral part of the right to health, and in relation to the rights noted above, but also clarified their content and meaning. This includes that states must eliminate barriers to sexual and reproductive health services e.g. parental or spousal/partner authorisation requirements, affirm the accessibility and affordability of services (e.g. contraception, including emergency contraception), and decriminalise sexual and reproductive health services (e.g. abortion), and states are to be held accountable if they fail. Importantly, with regard to adolescents, human rights bodies have noted a presumption of capacity to seek and have access to sexual and reproductive health services, including the ability to make autonomous and informed decisions regarding their reproductive health.⁴ Parallel to these international developments, strong human rights standards have emerged in many regions and countries. One landmark in this regard is the Maputo Protocol, which has had a significant impact on affirming sexual and reproductive health and rights across Africa. The Protocol has spurred health legislation and policies for improved access to services, increased health financing and investments, strengthened monitoring, evaluation and accountability, along with ensuring gender equality, women's and girls' empowerment, and respect of human rights.⁵

RECOMMENDATIONS TO THE POLICY MAKERS

- Sexual and reproductive health information, goods and services should be accessible to all in law and practice without discrimination.
- States should adopt measures to achieve equality and eliminate discrimination with respect to sexual and reproductive health for all.
- Harmonising laws with human rights standards can foster the promotion of sexual and reproductive health in Zimbabwean legislation.

³ Convention on the Rights of the Child

⁴ General comment No. 22. (2016). On the right to sexual and reproductive health (article 12)

⁵ Maputo Plan of Action 2007-2010

- The dissemination of comprehensive sexuality education contribute to people's knowledge of what protects or damages their sexual and reproductive health, including where and how to seek further information, counselling and treatment if needed.
- Sexual and reproductive health policies, programmes and practices must be based on gender equality and human rights and ensure that everyone can exercise their rights related to sexual and reproductive health, free from discrimination, coercion and violence.

BIBLIOGRAPHY

1. Committee on the Rights of the Child. United Nations Convention of the Rights of the Child. General comment No 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health (art. 24); 2013.
2. General comment No. 22. (2016), on the right to sexual and reproductive health (article 12 of the International Covenant on Economic, Social and Cultural Rights). E/C.12/ GC/22. Committee on Economic, Social and Cultural Rights, United Nations, 2016.
3. Global Programme to Enhance Reproductive Health Commodity Security. UNFPA. 2011.
4. Maputo Plan of Action 2007-2010 (extended 2010 to 2015). The African Union Commission. 2006. Maputo Plan of Action 2016-2030. Universal access to comprehensive sexual and reproductive health services in Africa.
5. Paragraph 7.3 of the International Conference on Population and Development (ICPD) Programme of Action Summary:
6. WHO, Global Reproductive Health Strategy. World Health assembly of the World Health Organization, 2004.
7. Paragraph 7.3 of the International Conference on Population and Development (ICPD) Programme of Action Summary.
8. World Health Organization. Defining sexual health: Report of a technical consultation on sexual health, 28-31 January 2002, Geneva.
9. World Health Organization-Preventing early pregnancy and poor reproductive outcomes among adolescents in developing countries, Geneva.