

A Human Rights based approach to Parenting Preparation

1. Nutrition

Definition

The right to food:

- ✓ regular, permanent and unrestricted access to
 - adequate food
- or
 - means for its procurement
- ✓ for every men, woman and child
- ✓ alone and in community with others

adequate food ≠ a narrow or restrictive sense, a minimum package of calories, proteins and other specific nutrients

adequate food = dietary needs of an individual which must be fulfilled not only in terms of quantity, but also in terms of nutrition quality

Focus

A pregnant woman should be eating for two? Well, the answer is “yes”... but this doesn't mean that during pregnancy we need to eat double or to give in to food craving. The baby nutrition depends on the mother's diet, so a human rights approach to eating healthy during pregnancy means being aware that every food habit has positive or negative consequences on the baby's well-being. Access to adequate and healthy food is a woman's right, but also a responsibility for the expectant mother due to its impact on the rights of the offspring: the right to health, to physical and mental well-being.

The eating habits of the mother before and after conception may play a key role in the child's risk of developing diseases later in life. Likewise, the obesity of the mother increases the risk of a wide range of pregnancy-related complications, including the risk of preterm birth.

Good to know

Human rights are useful, but the language used is often too specialized and difficult to translate into concrete terms. Therefore, a number of interested individuals (mothers and future mothers, specialists, practitioners) agreed to discuss the issues through the Internet. The group's goal was to articulate a list of agreed principles relating to human rights, infant and maternal nutrition and breastfeeding. After long hard discussion, the group formulated the:

Consensus Statement

Women have the right to:

- ✓ good prenatal care

- ✓ basic information on child health and nutrition and the advantages of breastfeeding, and on the principles of good breastfeeding and alternative ways of providing breast milk
- ✓ protection from misinformation on infant feeding
- ✓ friendly health facilities for both mother and baby
- ✓ family and community support in practicing breastfeeding

Infants have the right to:

- ✓ be free from hunger and enjoy the highest attainable standard of life
- ✓ adequate food, health, services and care

The link with other human rights

- *right to health*: If the pregnant or breastfeeding woman does not have access to adequate food, that can have serious consequences for the health of both the mother and the newborn.

- *right to education*: Hunger and malnutrition affects the child's abilities to learn and can lead to early school leaving and school failure. In addition, early school leaving is linked to unemployment, social exclusion, poverty, poor health and undernutrition.

- *right to work*: To have a job means to be able to obtain the necessary resources for adequate food.

- *right to non-discrimination*: People with inadequate food resources are subject to multiple risks; they become victims of social exclusion and increasing discrimination; this further aggravates the spiral of vulnerability of precisely the most vulnerable groups.

Event

October 16 – World Food Day

World Food Day is a global initiative that promotes awareness and action for tackling hunger and advocates the need to ensure healthy diets for all.

For further information

Relevant documents

The Universal Declaration of Human Rights (1948): “everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food...” (Art. 25).

The International Covenant on Economic, Social and Cultural Rights (1966): “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing, and housing...” and also recognizes “the fundamental right of everyone to be free from hunger...” (Art. 11).

FAO World Declaration and Plan of Action for Nutrition (1992): “The right of women and adolescent girls to adequate nutrition is crucial. Their health and education must be improved. Women must have increased access to and control of resources. It is particularly important to

provide family planning services and to provide support for women, especially working women, throughout pregnancy and breast-feeding.” (Art. 13).

The UN's Committee on Economic, Social and Cultural Rights has issued *General Comment 12* (1999): *The Right to Adequate Food (Art. 11)*: “The Committee affirms that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfillment of other human rights”.

2. Mental and Emotional wellbeing

Definition

The right to mental and emotional health:

≠ only the absence of disability

= a complex of factors, including the right to

- ✓ healthy life*
- ✓ emotional and social wellbeing*
- ✓ nonviolent and harmonious interaction between individuals and groups*
- ✓ trust, tolerance and mutual respect*
- ✓ respect for human dignity*

Focus

How can a mother or expectant mother respect the right to mental and emotional health for herself and her child?

Even if it does not seem obvious, a calm, optimistic, positive attitude, a nonviolent environment are the first building “bricks” of the child’s rights. Likewise, due to the multiplicity of roles mothers are expected to perform, maternal health has a variety of both positive and negative impacts on the family.

- ✓ when the mother is calm and relaxed, the fetus/child feels protected; mutual affection increases the mother's confidence that she can overcome difficult moments*
- ✓ the interactions and bonding established with the baby play an important role in the child’s psychological, cognitive and social development and create a pattern that continues to function as a working model for relationships in adulthood*
- ✓ neonates of mothers with depression or high anxiety levels during pregnancy and postpartum:*
 - are less active*
 - more irritable*
 - have disrupted sleep patterns*
 - have increased fussiness*
 - have poorer motor performance and impaired orientation*
 - have lower birth weight*

Good to know

Thinking Healthy - Cognitive Behavior Therapy (CBT) is a program elaborated by the World Health Organization that aims to bring about a change in the management of perinatal depression and anxiety. CBT is an evidence-based (coming from scientific research) and structured (step by step) talking therapy that focuses on changing the maladaptive cycle of unhealthy thinking leading to unhelpful emotions and resulting in undesirable actions.

3 steps:

- ✓ identify unhealthy thoughts, beliefs, ideas, attitudes, negative mental images that often appear in pregnancy and postpartum
- ✓ examine the feelings and the actions associated with such unhealthy thinking behaviors
- ✓ replace unhealthy thinking with helpful thinking

Example

| Thought | Feeling/action | Consequences |
|--|--|--|
| I don't have any relationship with my baby. It will happen when he or she is born. | Not trying to develop a bond with your unborn baby | A greater difficulty in developing a bond when the baby is born. |
| Thought | Feeling/action | Consequences |
| If I try, I can develop a deep bond with my baby. | Making an active effort to develop a bond. | A strong and healthy mother-infant relationship. |

The link with other human rights

- *the right to dignity*: A psychosocial or emotional problem is often perceived as the attribute of weak people, unable to make decisions.

- *the right to education*: Due to disabilities, some children and adults are unable to benefit their right to education or vocational/professional training.

- *the right to non-discrimination*: Labeling people with mental or psychosocial problems leads to stigmatization, exclusion and reluctance to seek help by the people who consider that they may have a mental disorder.

- *the freedom to make your own choices*: People who face emotional or psychosocial problems are considered incapable of making decisions, solving problems, interacting etc.

Event

April 11 – International Day for Maternal Health and Rights

It is an opportunity to celebrate every person's right to respectful, quality, safe and comprehensive maternal health care.

For further information

Relevant documents

The International Covenant on Economic, Social and Cultural Rights (1966) states steps for the realization of the right to health (Art. 12).

The UN Committee on Economic, Social and Cultural Rights adopted *General Comment 5* (1996) – the Committee recognized the application of International Covenant on Economic, Social and Cultural Rights with regard to people with mental and physical disabilities.

The Convention on the Rights of the Child (1989): “States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development” (Art. 27).

The Convention on the Rights of Persons with Disabilities (2006) lists the principles and rights that make a significant contribution to redressing the profound social disadvantage of persons with disabilities: the right to an adequate standard of living; the right to enjoyment of the highest attainable standard of physical and mental health; the right to exercise legal capacity and the right to personal liberty and the security of persons; the right to live independently and be included in the community.

UN Human Rights Committee Resolution A/HRC/3 /L.25 (2017) shows that women with a mental or psychosocial disability are more vulnerable to violence, abuse, discrimination and stereotypes.

3. Smoking cessation

Definition

The right to health, with regard to consumption of harmful substances, includes:

- ✓ the right to prevention, treatment and control of diseases
- ✓ the right to maternal, child and reproductive health
- ✓ the provision of health-related education and information (including the risks associated with consumption of tobacco and other harmful substances)
- ✓ *the right to healthy working conditions and healthy environment*
- ✓ children protection against the illicit use of narcotic drugs and psychotropic substances
- ✓ children protection against all other forms of exploitation prejudicial to any aspects of the child's welfare

Focus

One might say: “Smoking is a personal choice. I *express my freedom through my choices.*” Yes, that's *true enough*. But using tobacco is not a right, it's just a choice. In addition, tobacco use has a direct effect on the quality of life and can *affect the health and well-being* of people

who *are* exposed to it. If we look at the definition of the right to health, we notice that this personal choice has negative effects on those around us, in all aspects mentioned: lack of prevention; non-respect of the right to health of the mother and child, exposure to an unhealthy living environment and to consumption of harmful substances.

- ✓ exposure to environmental tobacco smoke causes health problems: asthma, respiratory infections
- ✓ babies exposed to second-hand smoke during pregnancy may be born with nicotine dependence and are more predisposed to substance abuse, in later life
- ✓ children exposed to second-hand smoke at home are also more likely to initiate smoking in the future
- ✓ the couple can be affected in various areas of life, such as:
 - family wellbeing
 - sexual wellbeing (infertility, *unsatisfactory sex life*)
 - *financial* wellbeing (the cost of smoking is not only a daily cost, it can also lead to high health care costs)

Good to know

Pregnancy and the period preceding and following it provide a unique opportunity for women to quit smoking. They are more likely to stop this bad habit than at any other time, because they are concerned not only about their own health but that of their infant. Likewise, the mother receives a higher level of social and family support and the contact with the health care system is more frequent. Family planning and prenatal care visits can be beneficial for smoking cessation counseling which, completed by a few motivational exercises, can provide faster results. The pregnant must focus on the 5 R's Cessation Motivation, which is an intervention designed to motivate smokers who have a hard time kicking the habit.

Relevance: reasons why quitting is personally relevant, being as specific as possible

Risks: potential negative consequences of tobacco use that seem most relevant to the patient

Rewards: potential benefits of stopping tobacco use

Roadblocks: barriers or impediments to quitting (fear of failure, lack of support, friends who smoke)

Repetition: repeat the exercises every time there is a temptation to smoke

For the Rewards chapter, the mother can also think at the fact that she can protect the baby's right to health.

Quitting smoking during pregnancy reduces the risks of:

- ✓ low birth weight
- ✓ *intrauterine growth restriction*
- ✓ *miscarriage*

By protecting your baby from secondhand smoke, he or she will be less likely to develop:

- ✓ bronchitis and pneumonia
- ✓ ear infections
- ✓ allergies

The link with other human rights

– *right to health*: Smoking is a threat to life; the World Health Organization estimates that, by 2030, 8 million people worldwide will die every year from diseases caused/aggravated by smoking.

– *right to life*: Smoking have a significant impact on longevity and quality of life.

- *right to non-discrimination*: Children are more vulnerable to developing an addiction to smoking, because before the age of 20, the part of the brain that protects us against risky behaviors is still incompletely developed. It is estimated that 3 out of 4 teens who smoke will smoke in adulthood.

- *right to a healthy environment*: Tobacco affects human wellbeing from an environmental perspective, including the indirect social and economic damage caused by the cultivation, production, distribution, consumption, waste generated by tobacco products and the elimination of toxic substances in the atmosphere.

Event

May 31 – World No Tobacco Day

It aims to highlight the health risks associated with smoking or exposure to secondhand smoke and to promote the importance of developing and implementing the policies that encourage the reduction of consumption.

For further information

Relevant documents

The Universal Declaration of Human Rights (1949) recognizes right to a standard of living adequate for the health and well-being of oneself and of one's family.

The International Covenant on Economic, Social and Cultural Rights (1966) states that “States Parties recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health” and mentions that the steps to be taken by the States Parties shall include the prevention of infant mortality, the improvement of environmental conditions (which the UN Committee also associates with the deterrence of using tobacco), the prevention, treatment and control of diseases.

U.N. Committee on the Rights of the Child General Comment No. 4 (2003) emphasized the obligation of the States Parties to promote cost effective measures, including laws, policies, and programs, with regard to the abuse of alcohol, tobacco, and other harmful substances.

The Ashgabat Declaration on the Prevention and Control of Noncommunicable Diseases in the Context of Health 2020 (2013): “there is solid scientific evidence that the major NCDs cause

suffering and undermine social and economic development in our countries. They are largely preventable diseases linked to a set of four common risk factors, namely tobacco use, harmful use of alcohol, unhealthy diets, and physical inactivity, and can remain preventable until late in life” (Art.2).

WHO Global Strategy to Accelerate Tobacco Control Global Strategy to Accelerate Tobacco Control: Advancing Sustainable Development through the Implementation of the WHO Framework Convention on Tobacco Control 2019-2025 (2018) mentions the “voluntary global target of a 30% relative reduction in the age-standardized prevalence of current tobacco use in persons aged 15 years and over by 2025”.

4. Environment

The right to an appropriate environment means:

= to ensure a

- ✓ safe
- ✓ clean
- ✓ healthy
- ✓ sustainable

environment, in order to respect, protect and fulfill human rights

Focus

Exposure to potentially harmful substances during pregnancy can be harmful to the health of both mother and fetus. In order to protect the rights of the baby, the mother should keep herself informed about the possible dangers in the environment (and, by extension, food) and take a few simple precautions:

- ✓ avoid exposure to outdoor air pollution
- ✓ check the labels and warning symbols of the products
- ✓ avoid microwave food preparation
- ✓ avoid exposure to cigarette smoke
- ✓ choose low-mercury fish
- ✓ the employer has the obligation to inform about environmental hazards and to assess the specific risks (vibration, noise, excessive heat or cold, chemicals, biological agents)

Good to know

We do not always pay attention to the labels on the products we use. But when they have a harmful potential, it is recommended to read carefully the inscriptions on the package. It’s a minimum precaution to ensure our right to a healthy environment.

Hazard pictograms are part of the international (UN) Globally Harmonized System of Classification, adopted as well at the UE level, that classifies chemicals according to their physical, health and environmental hazards (images have a strong visual impact).



Harmful: skin irritation, eye irritation, respiratory tract irritation

Products: laundry detergents, toilet cleaning solutions



Corrosive: skin corrosion, serious eye damage

Products: unclogging pipes solutions



Oxidizing: wear protective gloves / protective equipment / face protection

Products: bleaching agents

The link with other human rights

- *right to life*: The contaminated sites (by accidents, by improper handling or disposal of toxic and hazardous materials and wastes) represent a serious threat to life. The European Court of Human Rights has often condemned the countries that have not informed and relocated citizens in such situations, under the article on the right to life - protection against environmental hazards.

- *right to education*: Poisoning from lead-in paint or carbon monoxide from burning fuels has been shown to affect children's ability to learn.

- *right to information*: Environmental degradation caused by economic activities may be associated with a partial violation of the right to information (about the harmful effects of unsustainable economic exploitation) and freedom of speech.

Event

June 5 – World Environment Day

World Environment Day is observed globally to raise awareness about preserving and protecting the environment.

For further information

Relevant documents

The International Covenant on Economic, Social and Cultural Rights (1966). The environment is mentioned in connection with the right to health: “The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for [...] The improvement of all aspects of environmental and industrial hygiene.” (Art. 12)

The Convention on the Elimination of All Forms of Discrimination against Women (1979) obliges states to take measures to “provide special protection to women during pregnancy in types of work proved to be harmful to them” (Art. 11).

The Convention on the Rights of the Child (1989) states that every child must enjoy the best possible state of health. States Parties shall pursue full implementation of the right to health and “ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents” (Art. 24).

The Framework Convention on Climate Change (UN Environmental Program) (1992) requires parties to achieve “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.”

The Charter of Fundamental Rights of the European Union (2010) explicitly refers to the protection of the environment; Union policies state that “environmental protection and the improvement of the quality of the environment must be integrated into the policies of the Union and ensured in accordance with the principle of sustainable development”. (Art. 37)

5. Relationship

Definition

From a human rights perspective, a healthy and balanced relationship – formalized through marriage or not – must meet several requirements:

- ✓ equality between partners
- ✓ respect for the personality of the other, for the differences between the two partners
- ✓ freedom of thought, conscience and religion

- ✓ respect for the partner's privacy
- ✓ freedom of opinion, expression and information
- ✓ participation in social and cultural life
- ✓ the right to benefit from scientific progress and its applications
- ✓ the right to education and professional/vocational training
- ✓ the right to the full development of personality, vocations and skills
- ✓ protection against violence (physical, psychological, sexual), abuse, neglect
- ✓ health protection, including sexual health care (contraceptive measures and means of protection against sexually transmitted diseases, lack of obligation to keep a pregnancy or to have an abortion)

Focus

For biological and social reasons women are more directly affected than men by decisions with respect to relationships and sexuality. The way a relationship unfolds, with its consequences on sexual life and reproductive health, affect women's mental and physical integrity: their social and sexual autonomy, their ability to enter and end relationships, their education and job training, their ability to provide for their families.

In addition, women's preferences, attitudes and opinions can be influenced by the way men – their partners – perceive the ideal family size, gender preference of children, ideal spacing between child births and the contraceptive method to use, even if they do not experience “first hand” the effects of these choices.

Therefore, in a relationship, the involvement of the man in matters related to the sexual and reproductive health of the couple is essential. Men have a stake in reproductive rights through their multiple roles as sexual partners, husbands, fathers, family and household members. This involvement means:

- ✓ respect for equity and gender equality
- ✓ choosing by common agreement an appropriate contraceptive method
- ✓ STIs and HIV/ AIDS prevention
- ✓ sharing the burden of preventing diseases and health complications
- ✓ participating in family planning consultations
- ✓ accompanying the mother to prenatal visits
- ✓ information about women's healthcare needs during pregnancy and childbirth
- ✓ information on female and male reproductive health (sexually transmitted diseases, urogenital infections, infertility, erectile dysfunction)

Good to know

A relationship is not limited to the sexual life of the partners. However, in adolescence and early youth, this experience is very important, decisive for shaping future personality and relational/sexual behaviors. Balanced, harmonious relationships, based on respect for the rights and

freedoms that partners must enjoy/the obligations they must assume reduce the risks of trauma and abuse.

Such risks might include:

- ✓ sexual abuse
- ✓ sex under threat
- ✓ violence (verbal, physical, emotional)
- ✓ cyberbullying (cyber stalking, non-consensual pornography, cyber harassment, sexting, revenge porn)
- ✓ unwanted pregnancies, which can lead to dangerous abortions
- ✓ early marriage and pregnancy
- ✓ school abandonment due to a relationship or pregnancy
- ✓ employment at an early age

The link with other human rights

– *right to life*: The risk of dying from an unsafe abortion is very high. World Health Organization estimates that about 68,000 women die every year from complications during unsafe abortions.

– *right to health*: Violence of any kind, the use of inappropriate contraceptives, sexually transmitted diseases, early marriages and pregnancies, childbirth before physical and mental readiness are among the many harmful practices with a direct impact on the right to health.

– *right to education*: Dropping out of school due to an unplanned/unwanted pregnancy has further consequences on women's employment and payment. It is also estimated that adolescents who have a poorer education or do not attend school are four times more likely to become pregnant at an early age.

– *right to non-discrimination*: Denying a teenager the right to be consulted and counseled about contraceptive methods because of age or marital status is a form of discrimination, as it is forbidden to deny a person access to health care based on this person's attachment to a particular group, nationality, gender, age, HIV-status.

Adolescents should not be discriminated against due to their young age; on the contrary, they have to be informed about their reproductive rights. At the work place, an employer cannot discriminate against a woman due to her marital status and the fact that she is in her reproductive years.

– *right to information*: Reproductive health information can significantly reduce the risks of sexually transmitted diseases, early pregnancies, complications, abortions.

Event

October 11 – International Day of the Girl

This day aims to bring to public attention the existence of specific rights for girls and adolescents, in order to reduce discrimination against them and to address the needs and challenges girls face: early marriage or pregnancy, dropping out of school etc.

For further information

Relevant documents

The Convention on the Elimination of All Forms of Discrimination against Women (1979) obligates the states parties to ensure “access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning”; “the reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely” (Art. 10).

World Conference on Human Rights adopted the *Vienna Declaration and Programme of Action* (1993); Action 12 deals with women’s rights and their right to accessible and adequate healthcare and the widest range of family planning services, as well as equal access to education at all levels.

The Convention on the Elimination of All Forms of Discrimination against Women Committee’s General Recommendation 24 (1994) recommends that States should prioritize the “prevention of unwanted pregnancy through family planning and sex education”.

General Comment no. 4 of the UN Committee on the Rights of the Child (2003) recognizes that states parties “should provide adolescents with access to sexual and reproductive information, including on family planning and contraceptives, the dangers of early pregnancy, the prevention of HIV/AIDS and the prevention and treatment of sexually transmitted diseases (STDs)”. The Commentary also insists on informing adolescent girls about problems caused by early marriage and pregnancy.

6. Sexual and reproductive rights

Definition

Reproductive rights rest on the recognition of the basic right of all couples and individuals to:

- ✓ decide freely and responsibly
 - the number, spacing and timing of their children
 - and
 - on matters related to their sexuality
- ✓ have the information and means to do so
 - free from discrimination, violence or coercion
- ✓ attain the highest standard of sexual and reproductive health

Focus

Given that issues related to sexuality and reproductive rights concern people's private lives and may be considered sensitive in many contexts, the subject of sexually transmitted diseases is often an uncomfortable one.

Of course, the lack of prevention and the "embarrassment" of seeking treatment for such diseases and infections, even if they have an impact on general health, can be a private matter.

But at the same time, these diseases affect the health of the partner, the couple's fertility and, in the case of expectant mothers; they can have a negative impact on the fetus. More than 30 different bacteria, viruses and parasites are known to be transmitted through sexual contact. Eight of these pathogens are linked to the greatest incidence of sexually transmitted diseases and four of them are currently curable: syphilis, gonorrhea, chlamydia and trichomoniasis.

Still, STI can have serious consequences beyond the immediate impact of the infection itself:

- ✓ mother-to-child transmission of STIs can induce low-birth-weight and premature birth, pneumonia, neonatal conjunctivitis
- ✓ herpes and syphilis can increase the risk of HIV acquisition
- ✓ gonorrhea and chlamydia are major causes of infertility in women

Good to know

What these rights actually mean for *future* moms and dads? Of course, the governments must ensure that every couple has access to reproductive health information and services (use of contraception, access to basic emergency obstetric care, skilled antenatal, childbirth and postnatal care).

But parents have their own responsibilities:

- ✓ avoiding unwanted and unplanned pregnancies by using contraceptives
- ✓ participation in *family planning* or *reproductive health consultations*
- ✓ prevention of sexually transmitted diseases by using an adequate form of protection
- ✓ *management* of STIs, including screening, counseling and *treatment, to protect the health of the pregnant woman and the fetus*
- ✓ *healthy nutrition habits, use of supplements on doctor's recommendation*
- ✓ participation in prenatal education classes that are delivered by health-care professionals
- ✓ appointment with the *healthcare* provider for medical checkups and screenings
- ✓ deciding together in all *aspects* related to sexual and reproductive health of the couple (pregnancy planning, abortion, contraceptive methods, care before, during, and after pregnancy)

The link with other human rights

– *right to live*: Short intervals between births, abortions practiced in *precarious conditions*, teenage pregnancies, some sexually transmitted diseases, lack of access to services and medical care increase the *risk of life*-threatening complications.

– *right to health*: Sexual and reproductive health is an integral part of the right to *highest* attainable standard of health. Special protection should be given to mothers before and after birth.

– *right to marry and start a family*: Sex life does not depend on starting a family, nor does it condition marriage. However, they are often intimately related. The right must be exercised without discrimination related to race, nationality or religion. In all matters relating to marriage and family relations the partners must have equal rights.

– *right to education, information and freedom of expression*: Education and information are essential for maintaining sexual and reproductive wellbeing (prevention of unwanted pregnancies, contraceptive methods, disease prevention)

– *right to privacy*: Sexual health issues are private and confidential information that must be treated as such.

– *right to non-discrimination*: The right to not be discriminated against is essential in the management of sexual and reproductive related issues. The risks of facing social stigma or discrimination can stop a person from getting help or seek care services.

Event

September 4 – World Sexual Health Day

Annually observed on September 4, the *World Sexual Health Day* is an opportunity to celebrate sexual health as a human right, fundamental to all people’s health and happiness and to promote best practices in sexual health.

For further information

Relevant documents

The Convention on the Elimination of All Forms of Discrimination against Women (1979) specifies that women’s right to education includes “access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.” (Art. 10).

The Beijing Platform for Action (1995) states that “the human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.”

The Convention on the Elimination of All Forms of Discrimination against Women Committee's General Recommendation 24 (1999) recommends that States should prioritize the “prevention of unwanted pregnancy through family planning and sex education.”

The International Covenant on Economic, Social and Cultural Rights General Comment 14 (2004) explains that the provision of maternal health services is comparable to a core obligation which cannot be derogated from under any circumstances, and the States have the immediate obligation to take deliberate, concrete, and targeted steps towards fulfilling the right to health in the context of pregnancy and childbirth.

7. Prevention of violence against women

A human rights-based approach to violence against women

Definition

Violence against women is defined as:

- ✓ a violation of human rights

and

- ✓ a form of discrimination – an act of gender-based violence

having multiple forms:

- ✓ physical, sexual, verbal, mental, economic harm or suffering
- ✓ threat of such acts
- ✓ coercion
- ✓ arbitrary deprivation of liberty
- ✓ whether occurring in public or in private life

If these forms of violence occur in the family or between current or former partners, we speak of “domestic violence”.

Focus

Of course, domestic violence – of any kind – is outlawed, but even more so it must be eliminated during pregnancy and lactation. There are numerous studies that associate violence with multiple harmful consequences on the quality of life of the mother and on the health of the fetus (possible premature birth, prenatal hospitalization, infections, depression, inadequate nutrition of the mother, smoking and alcohol consumption).

From a human rights perspective, these effects are equivalent to a violation of the best interests of the child, a fundamental principle underpinning the interpretation of all children’s rights and freedoms.

The violence against the mother limits from the outset the resources and means to ensure the child his rights: the right to family, to survival and development, to be protected against any form of violence, abuse or neglect. Also, children's exposure to domestic sex-based violence socializes them to accept such violence as a legitimate response to stress.

Good to know

Many international and regional human rights documents include in their provisions the right to protection of women against violence. But these rights can only remain at a theoretical level, in the absence of concrete mechanisms for prevention and control. For the European Member States, most countries have implemented, among other things, the protection order measures, that come in many shapes and sizes; the level of protection provided by them varies accordingly: the protection order can be requested either by the victims directly, or through a lawyer, or it can be issued at the intervention of other authorities (social workers, police).

A protection order can be defined as:

- ✓ any decision, provisional or final
- ✓ adopted by a civil, criminal or administrative court or other judicial authority
- ✓ imposing rules of conduct (obligations or prohibitions) on a person
- ✓ with the aim of protecting another person
- ✓ against an act which may endanger
 - life
 - physical or psychological integrity
 - dignity
 - personal liberty
 - sexual integrity

The link with other human rights

– *right to life*: Violence is a grave violation of the fundamental right to life; it often results in battery, rape and murder.

– *right to liberty and security of person*: Physical and sexual violence represents a violation of the right to liberty and security of person if it results in serious injury that endangers physical integrity or if it causes a disability.

– *right to health*: When rape results in infection with the AIDS virus, the ultimate consequence is also a violation of the right to health. In other cases, this right may be violated when women are denied certain forms of health care.

– *right to non-discrimination*: The gender-based violence is a form of discrimination which inhibits women's ability to enjoy the same rights and freedoms as men.

– *right to work*: Economic violence has a variety of forms that can involve refusing the victim's right to work, which is a way of obstructing a person's financial autonomy.

Event

November 25 – International Day for the Elimination of Violence against Women

It aims to raise awareness about the dramatic consequences of violence against women and to campaign for taking the necessary measures to eliminate all forms of violence and abuse against women.

For further information

Relevant documents

The *Universal Declaration of Human Rights* (1948) states that “everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” (Art. 2)

The *UN Convention on the Elimination of All Forms of Discrimination against Women* (1979) is one of the most important instruments adopted internationally to promote and protect the rights of women worldwide. The Convention specifies, in 16 articles, the obligations that States must assume in order to eliminate discrimination against women in the political and civil, social, economic and cultural fields. It asserts that states have an obligation to “exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons”. (Art. 4)

Recommendation No. R(90)2 of the Committee of Ministers of the Council of Europe (1990) is a document of major importance which, although not mandatory, has the merit of dealing with the issue of domestic violence in a structured and methodical way, by proposing viable solutions. Thus, the instrument proposes two major sections: general prevention measures and specific measures, including awareness-raising measures, ”diagnosis” of cases of domestic violence, their reporting, and the implementation of clear actions of protection, assistance and therapy for victims.

The Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence, Council of Europe (2011), states that States have an obligation to combat violence against women in all its forms and to take measures to protect victims and prosecute perpetrators.

