



## CENTRAL AND EASTERN EUROPEAN WOMEN'S NETWORK FOR SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

### CEE Bulletin on Sexual and Reproductive Rights

No 02 (105) 2012

#### Table of contents:

- **Burning Issue**
- **Regional Updates**
- **Global Updates**
- **Upcoming Events**
- **Publications**

#### BURNING ISSUE

**Advancing Women's Rights Worldwide- the new report of the Council of Europe.** The report drafted by Hon.Lydie Err, Luxembourg, Socialist. The Resolution calls for new impetus to be given to the protection, promotion and effective implementation of women's rights worldwide. The Resolutions states that the "*Separation of religion and state is necessary for the realisation of equality and non-discrimination both de jure and de facto*" (Para 1). Further, the document underlines that still some 358000 women die annually due to complications during pregnancy and childbirth and worldwide around 14 million girls between 15 and 19 give birth each year (Para 6). It underlined economic costs for society resulting from failure to address maternal health needs as well as called for gender and age specific data collection in this field (Para 9.3). The Resolution calls for ensuring that comprehensive reproductive health programmes receive adequate funding (Para 9.5). Moreover, it calls to ensure that UN Women and UNFPA receive resources needed to fulfill their objectives to expand women's voice, leadership and participation (Para 10.5).

The full text is available here:

<http://assembly.coe.int/Documents/WorkingDocs/Doc12/EDOC12812.pdf>

#### REGIONAL UPDATES

**Balkan countries join forces to fight HIV/AIDS stigma.** Stigma surrounding HIV/AIDS is a growing problem in the Balkans. Although the overall infection rate is low in the Balkans region, the prevalence of HIV/AIDS among the youth is increasing rapidly, according to non-governmental organisations. Officially the registered number of HIV-positive people is only 65 in Bosnia and 103 in Montenegro, but experts say the real figures could be at least 10 times higher. In Montenegro, a state with only 660,000 inhabitants, the number of those infected has increased by 33 percent from 2005 to 2009, official figures show. According to the 2010 report by a health NGO, Fondation PH Suisse, the pervasive stigma and discrimination by health care providers and society at large against high-risk populations -- and self-imposed isolation of people living with HIV and AIDS -- further fuels the growth of the epidemic. While patients have no trouble getting treatment and most countries of the former Yugoslavia often pay for medication, those with HIV/AIDS may not get other treatment such as dental work or reproductive health services because many health workers fear infection. Infected children or children of infected parents are also not welcome in schools. The prejudices also keep many from getting tested, especially in Bosnia and Montenegro. Even taking the test would mean effectively admitting to having behaved in a way that could lead to infection -- that is, through homosexual sex or illegal drug use. The lack of knowledge about how the virus is transmitted often leads to isolation and discrimination against people carrying the virus. Local NGOs are setting up a regional body to combat the prejudice. The first step will be a special conference in April year dedicated to HIV-infected people and their way of life where they will officially launch the initiative to start a regional association.

Source: <http://www.geo.tv/GeoDetail.aspx?ID=31058>

**EU News: European Parliament elects Martin Schulz as new president in first round.** German MEP and the leader of the parliamentary S&D group, Martin Schulz, received the majority of votes in the first round of elections for the position of president of the European Parliament. He will succeed MEP Jerzy Buzek from the centre-right European People's Party (EPP) who held the presidency for the first half of the Parliament's term which runs from 2009-14. The outcome of the vote was widely expected as the two largest parliamentary groups, S&D and EPP, agreed to share the presidency at the beginning of the current Parliament's term. MEP Schulz will hold the presidency until June 2014. During this time he will preside over the debates and activities of the European Parliament, speak for the Parliament both within the EU and internationally, while his signature will be conditional for enacting EU laws adopted under the ordinary legislative procedure and the EU budget. In the past, MEP Schulz has been a strong defender of human rights, proposing motions regarding the situation of Guantánamo inmates and the limitation of the freedom of speech in Hungary.

To read more, please see: <http://www.europarl.europa.eu/news/en/headlines/content/20120113STO35292/html/Either-we-all-lose-or-we-all-win-Martin-Schulz%27s-acceptance-speech>

**Human Rights Watch World Report 2012 lists Human Rights Concerns in Central and Eastern Europe.** The new Hungarian constitution is mentioned in the context of its provisions discriminating women, gay, lesbian, bisexual, transgender and people with disabilities. Further, the Report criticizes the new anti-discrimination legislation that came into force in 2011 in Poland. According to the Report it offers inadequate protection for sexual orientation, gender identity and disability. The Report also states that Poland continues to have one of the most restrictive anti-abortion laws in Europe, and mentions the ECHR ruling the case RR v. Poland and the Parliament's unsuccessful attempt to introduce total abortion ban in August 2011. Moreover the Report criticizes Russian policies regarding HIV prevention and praises Ukraine for including substitution programme and needle exchange into the national HIV prevention strategy for the first time in 2011.

Source: <http://www.hrw.org/sites/default/files/reports/wr2012.pdf>

**Spanish government 'plans abortion reform'.** Spain's conservative government plans to tighten the country's abortion law to oblige girls aged 16 and 17 seeking the procedure to have their parents' consent. The Justice Minister informed that he was drawing up a bill to change the former Socialist government's 2010 law which fully legalised abortion up to 14 weeks of pregnancy. The 2010 reform allowed girls aged 16 and 17 to have abortions without parental consent, on condition that they could prove they risked suffering domestic violence if they told their parents. The 2010 law gave women the legal right to choose to have an abortion up to 14 weeks of pregnancy, or 22 weeks in cases where the mother's health is at risk or the foetus shows serious deformities. Previously they could only have an abortion in cases of rape, serious deformity or when the mother's health was threatened. According to the Association of Accredited Abortion Clinics, the planned reform is unjustified because the statistics we have do not show that there is a rise in abortions in this age group since 2010.

Source: [http://sociedad.elpais.com/sociedad/2012/01/31/actualidad/1328004061\\_174071.html](http://sociedad.elpais.com/sociedad/2012/01/31/actualidad/1328004061_174071.html) at

**Morocco's Prime Minister Declares Support for Abortion.** Less than three months after winning power, the moderate Islamic party of Prime Minister Abdelilah Benkirane is surprising opponents by moving to relax the country's strict abortion laws. The objective is to address the steep rise both in illegal abortions and in the number of single mothers facing poverty. The Prime Minister declares his support for allowing abortions in cases of rape and incest. He appears to respond to a shift in public opinion after a recent rise in back street procedures made abortion a top political issue. According to opinion polls, half of respondents wants abortion to be legalized in cases of incest or rape. Morocco is one of the more liberal Muslim countries and allows the early termination of pregnancy, with spousal consent, to save the life of the woman or to preserve her physical or mental health. Still, abortion is stigmatized socially, legally and religiously, and abortions for unmarried women are illegal, resulting in high numbers of illegal terminations. A 2008 study put the number of abortions in Morocco as high as 600 a day. According to the World Health Organization, 13 percent of maternity deaths occurring in Morocco are from abortions. For the few who can afford the lowest priced illegal operation, at 2,000 dirhams, or \$230, the abortion is carried out by an enterprising general practitioner in a makeshift operating room. In such cases, the woman risks a prison sentence of up to two years. The doctor, if the patient dies, faces a prison sentence up to 20 years.

Source: <http://www.nytimes.com/2012/01/12/world/africa/new-prime-minister-surprises-moroccans-with-support-for-abortion.html>

## GLOBAL UPDATES

**Council of Europe Elects New Commissioner for Human Rights.** On the 25<sup>th</sup> of January former Latvian Minister for Social Integration Nils Muiznieks has been elected the Council of Europe's Commissioner for Human Rights. Muiznieks, 47, received an absolute majority of 120 votes cast by the Parliamentary Assembly (PACE) at its plenary session on Tuesday. He succeeds Thomas Hammarberg of Sweden and will serve a term of six years starting on April 1, 2012. Thomas Hammarberg made LGBT rights one of his priorities and is very supportive on sexual and reproductive health and rights. The Office of the Council of Europe Commissioner for Human Rights is an independent, non-judicial institution within the Council of Europe. Its function is to "foster greater awareness of human rights, support national human rights institutions, identify shortcomings in law and practice concerning human rights and promote full enjoyment of human

rights in all 47 member states of the Council of Europe”. The Commissioner makes regular visits to the Council of Europe member states to engage in dialogue with governments and civil society and draw up reports on issues falling within his mandate.

More: [http://www.coe.int/t/commissioner/default\\_en.asp](http://www.coe.int/t/commissioner/default_en.asp)

**Countries Banning Abortion See Higher Rates of Unsafe Procedures.** According to the study published by Lancet, countries restricting abortions, particularly in Africa and Latin America, have higher rates of unsafe abortion than those that allow the procedure. The rate of unsafe abortion in Africa was 28 per 1,000 women of childbearing age and 31 per 1,000 in Latin America, regions where abortion is highly restricted in almost all countries, according to the study of the Guttmacher Institute in New York, using the most recent data gathered in 2008. That compares with less than 0.5 per 1,000 in Western Europe and North America. The World Health Organization defines unsafe abortion as a procedure for terminating a pregnancy that is performed by an individual lacking the necessary skills or in an environment that doesn't conform to minimal standards. Eastern Europe had the highest rate of abortions at 43 per 1,000, owing to the region's low prevalence of effective methods of birth control such as the pill and intra-uterine devices and higher preference for small families. However, the rate of unsafe abortions in the region, which with the exception of Poland allows abortion by law, was 5 per 1,000, much lower than in other developing countries. Legally restricting abortions leads to unsafe procedures as women have more difficulty locating practitioners and the ones they do find are less likely to be adequately trained. The study's findings showed strong correlations between abortion rates and access to effective contraceptives, and between abortion rates and the law. According to the commentary, by Beverly Winikoff, published with the Lancet article: “the data continue to confirm what we have known for decades: that women who wish to terminate unwanted pregnancies will seek abortion at any cost, even when it is illegal or involves risks to their own lives”.

More: <http://www.guttmacher.org/pubs/journals/Sedgh-Lancet-2012-01.pdf>

**The CoE's "Demographic trends in Europe: Turning Challenges into Opportunities" Resolution.** The report was prepared together with a number of experts from the Vienna Demographic Institute (amongst other organisations) and after a hearing involving UNFPA. It should be noted that the report was launched by a group of prominent anti-choice Parliamentarians entitled "Demographic Winter in Europe". Thanks to the efforts of the progressive Parliamentarians the report now corresponds to the latest scientific research and international notions. The report stresses that: "People are the wealth of nations.. it is not only the number of people that is important, it is also the skills, abilities and state of health of those people. In 21st-century Europe, political goals should not be defined in terms of population size, but rather in terms of “human capital” available for producing the best possible quality of life for everyone" (para 6). In light of the findings of the report, the Assembly called on Member States of the Council of Europe to "introduce policies to provide the best education and training opportunities to ensure the highest quality of “human capital”" (14.2). Additionally the Assembly called on its members to ensure better reconciliation of family and work, especially for young parents, reduce migrant unemployment and promote a more inclusive job market.

The text is available here: <http://assembly.coe.int/Main.asp?link=/Documents/WorkingDocs/Doc12/eDOC12817.htm>

**The CoE's “Protecting human rights and dignity by taking into account previously expressed wishes of patients” Resolution.** The text regulates the issues regarding advance directives, living wills and continuing powers of attorney. Those “living wills” or “advance directives” are aimed at enabling patients to express in advance his wishes relating to a medical intervention or treatments,

in case he is not able to express his wishes at the time of the intervention. Those directives may apply for example when there is a doubt on the necessity or opportunity to reanimate a patient or to continue to use extraordinary means to maintain him alive. In such situations, their previously expressed wishes should be taken into account. Last year, on January 20th 2011, the European Court of Human Rights delivered a ruling (Haas versus Switzerland) that while there is a “human right” to suicide, the state has no obligation to provide citizens with the means to commit suicide. Although the new resolution is not legally binding on member states, it may have a direct impact on the upcoming judgment of the European Court in the case Koch v. Germany concerning the ban of assisted suicide in Germany”.

The text is available here:  
<http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta12/ERES1859.htm>

## **UPCOMING EVENTS**

**BPAS Conference: PILLS IN PRACTICE: IS ABORTION AND CONTRACEPTION POLICY MEETING WOMEN’S NEEDS?** This one-day public conference, organised by British Pregnancy Advisory Service (BPAS) will take place in London on Friday, 11 May 2012.

For more information, please see the conference website: [www.futureofabortion.org](http://www.futureofabortion.org).

**XIX International AIDS Conference (AIDS 2012).** The conference is to be held in Washington, D.C., Unites States from 22 to 27 July 2012. The organizers announced 15 major plenary presentations, focusing on the primary issues facing the global response to HIV and AIDS. Plenary speakers will open each day of the conference, which is expected to convene more than 20,000 participants from over 200 countries.

More: [www.aids2012.org](http://www.aids2012.org)

## **PUBLICATIONS**

**Birth Control User Guides.** The Reproductive Health Access Project released thirteen birth control user guides.

Accessible at: [http://www.reproductiveaccess.org/fact\\_sheets.htm](http://www.reproductiveaccess.org/fact_sheets.htm)

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Editorial Committee: Katarzyna Pabijanek, Martyna Zimniewska

Supported by: the Sigrid Rausing Trust Foundation and the International Women's Health Coalition

ASTRA Network Bulletin on Sexual and Reproductive Health and Rights 2 /2012