



CEE Bulletin on Sexual and Reproductive Health and Rights

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BURNING ISSUE

Masters of chaos – follow up after (no) publication of a (non-) judgement of the (non-) Constitutional

On October 22, Polish “Constitutional Tribunal” (CT) issued a “ruling” (K 1/20) finding abortion on the grounds of “severe and irreversible fetal defect or incurable illness that threatens the fetus’ life” unconstitutional. The ruling has not entered into force because it has not been published in the Polish Journal of Laws and this is not clear if/when it will happen because of the chaos the government is immersed in.

From the very date of the issuing of the “ruling” mass protests were happening in the big cities and small towns of Poland almost every day. In the culminating day there were over 500 000 people on the streets of Poland. On 18 November during the protests, the police attacked the protesters with gas and used force against the protesters arresting many of them for the participation in the legal gathering. The number of the police and special forces to secure the protests and often violent reactions to them demonstrate clearly the change of strategy of the authorities in managing the protests.

The Federation was regularly monitoring access to abortion under the Act of 1993. Even before the ruling it was very difficult for women to execute their right of access to abortion even when the conditions for statutory abortion have been met. According to our monitoring carried out as regards the year 2018, only 10 % of hospitals provide abortion, there are entire regions with no hospital that could provide abortion, consciousness objection is abused and often illegally used by the entire institution, other extra statutory requirements are imposed on women in order to procrastinate or deny access to abortion.

Since the issuing of the ruling, pregnant women are scared, doctors are confused as to the legal situation and its practical consequences for them. The insecurity is innate in this situation even though until now there has been no change as regards right of access to abortion stipulated in the law as on the Federation’s request has been confirmed by the Ministry of Health. “The telephone rings incessantly in the Federation. Women have been left without any institutional help. Some have had a date for abortion scheduled, but the hospital is refusing, others have had the date for prenatal examination set and now they are having difficulty in getting access to both. Within three weeks, we undertook nearly seventy interventions of this type” said Krystyna Kacpura, executive director of the Federation for Women and Family Planning.

At the same time the President of Poland at the end of October tabled his draft law with amendments to the Act of 1993. The President’s amendment foresees abortion possible if the foetus suffers from a lethal condition or when the pregnancy is highly likely to end with the new-born’s death. Solidarna Polska’s response to a crisis (ultraconservative fraction within the ruling coalition) was even more *macabre* and provides the possibility for women whose pregnancies are diagnosed with foetal impairments to be held until delivery in the perinatal hospices with access to the allegedly all medical/psychological/spiritual assistance they could need. This ideologically injected draft project could induce even more suffering for women who would have to wait, contained in the hospice to give birth to the lethally ill child. The above-mentioned bills have not been processed by the Sejm yet and most likely they will not get the majority or may not be even put on the Sejm agenda.

On a positive note, the MPs from Lewica, Federation for Women and Family Planning, Women Strike, Abortion Dream Team and few others organizations created a Committee for the Civic Legislative Initiative “Legal Abortion – No Compromise” which will draft the law liberalizing access to abortion. This draft law will need to be signed by 100,000 Polish citizens and be forwarded to the Sejm for proceeding.

Source: [Federation for Women and Family Planning](#)

REGIONAL UPDATES

Activists fear abortion at risk in Hungary from Orban’s family-first crusade

Reproductive rights are in the sights of Fidesz as the government ramps up its conservative rhetoric, drawing parallels with Poland’s latest attempt to limit abortion.

In late October, the rights of Hungarian women were suddenly in the spotlight when the government of Prime Minister Viktor Orban co-sponsored an anti-abortion declaration drenched in ‘pro-family’ language and conservative purple prose. Dubbed the Geneva Consensus Declaration, the thrust of the two-page document was a non-binding yet clear denial of the international right to abortion under the guise of promoting women’s health, observers pointed out.

The sponsoring of the declaration comes amid a string of constitutional changes that is smothering Hungary in a blanket of traditionalist and conservative ideology, keeping local women’s rights activists on their toes as concerns grow over the intentions of the ruling Fidesz party and its official coalition partner, the Christian Democratic People’s Party, towards the country’s abortion laws. (...)

Hungary’s abortion law, with its mandatory counselling and waiting periods, has previously been slammed by the likes of the United Nations and the World Health Organization for stigmatising abortion and undermining fundamental human rights.

This is an excerpt from an article available on [Balkan Insight](#).

Updates after the 36th session of Universal Periodic Review

The 36th session of the Universal Periodic Review (UPR) was held in Geneva, from November 2 to November 13, 2020.

Fourteen countries were reviewed during UPR36: Andorra, **Belarus, Bulgaria, Croatia**, Honduras, Jamaica, Liberia, Libya, Malawi, Maldives, Marshall Islands, Mongolia, Panama, and the United States.

The UPR outcome for each State reviewed during UPR36 will be adopted at the 46th session of the HRC (March 2021). The outcome report indicates which recommendations the State agrees to implement and its responses to other recommendations. This is the only opportunity for civil society to make an oral statement during the official UPR process. The SRI, in collaboration with partners and allies, will work to ensure that sexual and reproductive rights are visible during this segment of the UPR process.

Detailed list of recommendations can be downloaded from the link below.

Source: [Sexual Rights Initiative](#)

Putin orders to limit abortions

President Vladimir Putin has urged the government to improve abortion prevention strategies in an effort to reduce the number of terminated pregnancies and offset Russia's population decline. (...)

Prime Minister Mikhail Mishustin and regional heads will be tasked with reassessing Russia's abortion prevention strategies and developing mechanisms to increase funding for medical organizations that improve their abortion prevention rates, according to Putin's [order](#) published Saturday.

Improving access to legal, psychological and medical assistance through the maternity insurance program is outlined in Putin's order as a key measure expected to dissuade women from abortion.

Russia, which has one of the world's highest abortion rates, has [named](#) abortion reduction as one of its key demographic policy priorities. In the past five years, pregnancy terminations have decreased by nearly 30%, Deputy Health Minister Oleg Salagai [said](#) Tuesday.

Russia's efforts to improve abortion prevention have largely failed to revert its looming demographic crisis, however, with the country's population [predicted](#) to decline by 352,500 in 2020 compared to a decrease of 32,100 in 2019.

Read more in [The Moscow Times](#).

“Brave Sisters” tackle Croatia’s growing stigma over abortion

As women in Croatia encounter even greater difficulties in obtaining access to terminations of pregnancy, feminists are launching a new project to help them exercise what often seems a disappearing right.

Women’s rights activists in Croatia have been warning for years that, while legal, abortion is becoming less and less available in the mainly Catholic country.

That is why Nada Peratovic and an NGO, the Center for Civil Courage, have launched a new project.

Called “Hrabre sestre” (Brave Sisters), its aim is to establish “a network of women in Croatia who will provide support to women who want an abortion”.

Over 80 women from all parts of Croatia, some from abroad, have already expressed a wish to participate in the project.

“A huge number of women who have not been activists so far have reached out to us, and we are especially happy about that. Despite all the uncertainties, they have decided to take a step out of their own comfort zone and anonymity,” Peratovic said.

Women who need the support of the Brave Sisters will be able to get it next year, when the [project](#) starts to operate.

Read the text by Anja Vladislajevic for [Balkan Insight](#).

In eastern Ukraine, women tackle domestic violence amid conflict

A new report by Amnesty International on domestic violence in eastern Ukraine is ‘shocking’, but also includes some hopeful findings. (...)

“I won’t write any complaint, nothing ever works. Everything is pointless, no one will be prosecuted,” Anna (not her real name) told Amnesty International, which today released a report, [Not A Private Matter](#), after two years researching gender-based violence in state-controlled areas of eastern Ukraine. Six years after conflict began in 2014, the Donetsk and Luhansk regions of Ukraine are currently separated by a 420-km “contact line” into areas controlled by the Ukrainian state and those outside of its control.

What Amnesty researchers found was shocking, from fines as low as bus fares for abusers to under-reporting due to a lack of trust in law enforcement and a deep-rooted shame as a result of societal

stereotyping. But there were also some positives, including grassroots movements run by women along the contact line, who give lessons in schools on consent and helping survivors collect evidence.

Amnesty started its research after researchers realised that there had been no comprehensive report on gender-based violence in the conflict zone since 2017, and did not believe the situation had improved, says researcher Nadzeya Husakouskaya. (...)

Despite new laws and measures to address gender-based violence, and the rise in women rights activism in the country, Husakouskaya says that “violence against women remains a widespread yet deeply hidden phenomenon in Ukraine.” The situation is even more worrying in the conflict-affected government-controlled regions of Donetsk and Lugansk regions where Amnesty conducted its research.

According to cases documented by Amnesty, women in these areas can be discouraged by the military, and sometimes the police, from filing official complaints of domestic abuse.

Go to [Open Democracy](#) for the full article.

FROM ASTRA MEMBERS

Police violence on the rise amidst Polish protests

Following the issuing of the ruling on 22 October 2020, massive but peaceful protests were organised in big cities but also small towns of Poland. At the beginning the protests were happening almost every day, they were rather peaceful, with only few minor incidents of improper reactions from the police.

However, after 9 November the strategy of the authorities seems to have changed and the police officers started to use excessive force, they have arbitrarily detained people without access to lawyers. The number of police securing the protests was usually disproportionate to the number of the protesters. On 18 November the police closed the protestants in the so called “kettle” without the possibility to evacuate, they were using batons and pepper spray against the participants of the protests as well as against the journalists. As it turned out latter there were many undercover cops and cops from antiterrorist groups attacking the protesters. Few journalists were arrested by the police; also, MPs from the opposition party were sprayed with pepper gas. Similar brutalisation of the police could be observed during other protests later on in November as well. For example, on 28 November police officers asked for IDs over 900 people and again used a method of a kettle to stop the demonstration.

This recent brutalization of actions and intensification of measures used by the police is clear and constitutes an evidence for political strategy to suppress the protests and discourage potential protesters.

Source: [Federation for Women and Family Planning](#)

Access to family planning services being limited in Romania

The national family planning program was kicked off in Romania in 1994, when the national network of 142 clinics was set up in all counties, with general practice physicians trained in counseling and dispensing contraceptives.

Out of the 153 family planning clinic that existed in 2014 in Romania, 36 closed down silently in the past 6 years and most of the other ones haven't had any contraceptives in the last 4 years. 2 counties have no clinic. An extremely important system is being deconstructed.

Reminder: Family planning clinics are part of the governmental health system. One can go to an FP clinic free of charge and without a referral – which is extremely important for adolescents older than 16 and adults from all social classes, especially vulnerable populations. The clinics can provide to any person or couple – at least on paper – free counseling to choose the most suitable contraceptive method and plan a future pregnancy. Likewise, it is recommendable that any person who wishes to start their sexual life should first visit a family planning clinic to learn what the best method of contraception is and what the danger is in case of STIs. Family planning clinics distribute free contraceptives and condoms – but only on paper.

Free contraceptives and/or condoms can still be found at only 2 clinics in the country, that have managed locally, after the contraception acquisition mechanism at the Ministry of Health got stuck and still is, because of lack of interest on behalf of relevant decision makers, particularly those at the National Health Insurance House.

Source: [SEX vs THE STORK](#)

Online edition of Survivors' Forum by A.L.E.G.

Between 25th and 27th of November, A.L.E.G. (Romania) organised the online Survivors' Forum, the annual event in its third edition which brings together women that have overcome violence. More than 20 survivors from Bucharest, Braşov, Cluj, Sibiu and Satu Mare, together with the professionals

from #SiEuReusesc communities from these cities have shared their experience of offering and receiving support during the pandemic, along with resolutions for the future. One of the topics approached was the intersection between domestic violence and human trafficking and the need of a more direct collaboration between the organizations from these two sectors, as many victims of trafficking are at first trapped in abusive relationships which facilitate exploitation. The dialogues underlined the importance of helping each other, of support groups. The messages addressed by the survivors to other women can be found [here](#).

At the end of this forum, each community presented a resolution from survivors, which we hope to make its way to policy makers. Survivors believe it is important that more efforts are made to reach women earlier and more effectively, so that they can recognize the signs of abuse from an early stage. Severe cases of violence could thus be better prevented.

During the event, more than 1000 people followed our LIVE transmissions and the benefit of the online media is that our discussions were accessible to a wider audience. The sessions in Romanian can be watched on [Si Eu Reusesc Facebook page](#), by clicking on this [link](#).

You can find out more about our program on www.sieureusesc.ro

Source: [A.L.E.G.](#)

Romania and the Women's March Global

Advisory Board member Daniela Draghici joined the Women's March Global this year, after organizing a march on Washington Street in Bucharest, in solidarity with the Women's March in Washington. During the 16 Days of Activism Against Gender-Based Violence, Daniela reported the status of domestic violence incidence, the opposition to gender and sexuality education during the pandemic:

Gender-based violence was already a serious problem in Romania, and the onslaught of restrictions due to Covid-19 made matters worse this year. But Women's March Bucharest emphasises that the issue of gender-based violence runs deep in Romania — pandemic aside. Daniela Draghici, on behalf of Women's March Bucharest commented: 'Sexual violence is swept under the rug. Victims are horrified when they have to talk about that before a court, or in front of friends or specialists.'

That being said, 71% of young people in rural Romania still report violence in their schools, suggesting that even these shocking figures aren't the full story.

34,798 cases of domestic abuse were recorded by the police between January and September 2020.

On top of that, here's a rundown of the types of violence still recorded by the emergency service in this time period, despite the widespread fear of reporting violence:

- 596 cases of verbal violence;
- 778 cases of psychological violence;
- 772 cases of physical violence;
- 28 cases of sexual violence;
- 36 cases of economic violence;
- 46 cases of social violence;
- 3 cases of cyber violence.

(*Several types of violence are usually reported during one call.)

Read more: <https://medium.com/womens-march-global/violence-against-women-rife-in-romania-aa1b0f6cc682>

New ASTRA Network member at the International Adolescent Health on-line Conference

Adriana Radu, founder and president of SEXUL vs BARZA / SEX vs The STORK Association and Daniela Draghici, vice-president, participated in the International Adolescent Health on-line Conference 2020, with the presentation "SEXUL vs BARZA Comes to the Rescue of Teens during the Pandemic", as part of the session "Access to adolescent health promotion and education programs".

The Conference was organized by the Public Association "Health for Youth" and the National Resource Center on Youth Friendly Health Services "NEOVITA" from the Republic of Moldova, in partnership with several public institutions and international organizations.

The speakers' presentations focused on issues regarding the access to youth-friendly health services, mental health of adolescents during COVID-19, sexual-reproductive health of adolescents in pandemics, health services in schools, health education programs in health promoting schools.

More on SEXUL vs BARZA: www.sexulvsbarza.ro; <https://www.youtube.com/user/SEXULvsBARZA>;
<https://www.tiktok.com/@sexulvsbarza>

Society for Feminist Analyses AnA member on Surrogacy

Ana-Luana Stoicea Deram, a member of the Society for Feminist Analyses AnA , co-chair of the International Coalition for the Abolition of Surrogate Motherhood (ICASM), presented her analysis on the fast growing exploitative industry of surrogacy, often disguised as “women’s choice” or “women’s altruism”, and its impact on the most marginalised women, such as women living in poverty and migrant women.

The presentation was made during the webinar titled “SURROGACY: Globalised Industry of Reproductive Exploitation of Women and Girls hosted by the European Network of Migrant Women”.

For more information please see the Facebook event description:

<https://www.facebook.com/events/784155948830097/> and the attached PowerPoint presentation.

Three last inputs were kindly provided by our Board Member, Daniela Draghici.

RESOURCES

A new study on trans-persons reproductive rights

The article explores how the recognition of the gender identity of trans people can have negative consequences on their reproductive health and rights. First, it argues that, while both the right to gender identity and the right to sexual and reproductive health are part of the indivisible core of human rights, in practice trans people are forced to choose between them. Understanding this scenario requires focusing on the eugenic dimensions of trans policies, even in states where the recognition of a gender identity other than that assigned at birth is not tied to surgical or hormonal compromises. The concept of “passive eugenics”, coined over twenty years ago by James Bowman, offers a valuable key in this respect. Second, the paper highlights some factors that hinder a successful approach to the reproductive health and rights of trans people.

Source: [Sexual and Reproductive Health Matters](#)

UN’s meta-analysis of projects aiming to end violence against women available online

From the introduction:

The meta-analysis report sits within the context of the metaevaluation report. The meta-evaluation had three objectives. First, it sought to assess the quality of final external evaluations submitted to the UN Trust Fund between 2015 and 2019 (evaluation Cycles 16 to 20), which were either commissioned by grantees or co-managed in collaboration with grantees in the case of small grants. A second objective of the meta-evaluation exercise was to allow a trend analysis to examine changes in the quality and credibility of these evaluations. Finally, the meta-evaluation sought to develop constructive lessons for future systemic strengthening of evaluations. The meta-analysis serves a different purpose. It will use project evaluations to extract evidence of what works and what doesn't work in the field of EVAW/G for knowledge generation and dissemination. These objectives will be met using a subset of evaluation reports that have been assessed (through the meta-evaluation) as having a high degree of quality. In this way, the meta-analysis will be the next step towards developing an evidence and learning hub with quality-assured material and credible data from existing projects.

Source: [UN Women](#)

UPCOMING EVENTS

Due to global epidemic of COVID-19, all upcoming events requiring physical interactions have been cancelled or indefinitely postponed. Other events are mostly organised online, usually as webinars.

Leaving no-one behind: an intersectional approach to fulfilling SRHR for *all* women and girls

A stellar panel discussion is being organised on **10 December at 9:00-10:30 EST/14:00-15:30 GMT** in commemoration of the Human Rights Day. The event will highlight the multiple and intersecting forms of discrimination that women and girls are subjected to, which recent movements such as the #Metoo, Green Wave and #BLM have drawn urgent attention to.

The event is co-organised by IPPF. Register [here](#).

ASTRA Network Members: Albania - Albanian Family Planning Association; Armenia - Society Without Violence; Armenia - Women's Resource Center; Armenia - Women's Rights Center; Azerbaijan - Center "Women and Modern World"; Belarus - Women's Independent Democratic Movement of Belarus; Bulgaria - Bulgarian Family Planning and Sexual Health Association; Bulgaria - Bulgarian Gender Research Foundation; Bulgaria - Gender Education, Research and Technologies; Bulgaria - Demetra Association; Bulgaria - Gender Alternatives Foundation; Bosnia and Herzegovina – Sarajevo Open Center; Croatia - B.a.b.e.; Croatia – CESI; Croatia - Women's Room; Georgia – HERA XXI; Georgia – Real People, Real Vision; Georgia - Women's Center; Hungary – PATENT; BOCS Foundation; Kazakhstan - The Legal Center for Women's Initiatives "Sana Sezim"; Lithuania - Family Planning and Sexual Health Association; Latvia - Latvia's Association for Family Planning And Sexual Health; Macedonia - Association for emancipation, solidarity and equality of women; Macedonia – H.E.R.A.; Macedonia – Shelter Center; Moldova – Family Planning Association; Moldova - Reproductive Health Training Center; Poland - Federation for Women and Family Planning; Ponton Group of Sex Educators; Romania - A.L.E.G.; Romania - AnA: Society for Feminist Analysis; Romania - Euroregional Center for Public Initiatives; Romania - The East European Institute of Reproductive Health; Russia - Novogorod Gender Center; Russia – Russian Association for Population and Development; Slovakia – Pro Choice; Tajikistan – Gender and Development; Ukraine - Women Health and Family Planning; Ukraine - Charitable SALUS Foundation; Uzbekistan - Future Generation

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