



CEE Bulletin on Sexual and Reproductive Health and Rights

No 04 (201) 2021

Table of contents:

- Burning Issue
- Regional Updates
- From ASTRA members
- Resources
- Upcoming events

BURNING ISSUE

Istanbul Convention turns 10 – ASTRA’s overview of the document’s situation in the region

On May 11, we celebrate the 10th anniversary of opening the Istanbul Convention for signatures.

Istanbul Convention was – and still is – an extraordinary achievement in the international arena of women’s rights advocacy. The golden standard for policies targeting gender-based and domestic violence saves the lives of women all across the continent due to two focal points: victim protection and putting an end to the impunity of perpetrators.

And yet, the ten years were surely tumultuous. The document has been under attack since the very beginning, especially from the far-right and religious fundamentalists. It became one of the most widely discussed documents in the history of international advocacy and policymaking, often drawing a wedge in local societies. In several countries – most of them Central and Eastern European – the decision to sign and ratify quickly grew from simply willing to protect citizens to making a very political statement.

Due to that fact, countries of Central and Eastern Europe vary tremendously when it comes to attitudes towards Istanbul Convention. Romania and Bosnia and Herzegovina have both signed and ratified the Convention, and steps have already been undertaken by local policymakers to implement new solutions into their countries' legal systems. Local initiatives aiming to destigmatise the topic of gender-based violence in order to open the conversation with the general public are generally welcome, and women's rights NGOs usually have a seat at the table.

On the other hand, Azerbaijan and Russia have not signed the Convention at all, and Hungary signed the document back in 2014, but voted against ratification a year ago, in May 2020. Poland is rumoured to possibly join Turkey in leaving the Convention, after a civic draft bill called "Yes to family, no to gender" was sent to a committee instead of being rejected by the Parliament in March 2021.

It would seem we may be at a turning point for the Istanbul Convention on the eve of its second decade of existence. To determine whether that is so, we would recommend reading into a detailed analysis of the Convention's status in each country, along with any relevant documents, available on a [monitoring-dedicated website](#). As a small addition to the data available there, some ASTRA Network members decided to summarise the convention's history in their local context. We are presenting the overview below:

Bosnia and Herzegovina: Signed 2013; Ratified 2013

Sarajevo Open Center: Bosnia and Herzegovina ratified the Istanbul Convention in 2013, and it was among the first Council of Europe member states to adopt it. Every four years, our Government adopts the Strategy for its implementation. There have not been any setbacks or right-wing oppositions in the public discourse or institutions regarding its adoption or implementation. However, there are still many of its provisions that BiH has not put into practice, especially regarding the entities' criminal codes (Federation BiH and Republika Srpska), and financing and functioning of safe houses that encounter many challenges in their work.

Croatia: Signed 2013; Ratified 2018

B.a.B.e.: Although Croatia ratified and put into force the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in 2018, the problem of gender-based violence remains. Victims and survivors are still frequently not guaranteed physical distance from the perpetrators when giving statements to the police; problematic practices of double arrests and penalizing both victim and the perpetrator, soft penalties for the perpetrator, and domestic violence that falls under the category of misdemeanours persist.

It is important to emphasize that Croatian legislation was harmonized in line with Convention's regulations even before the official ratification of the Istanbul Convention. Croatian legal framework is frequently being improved, but the biggest problem is the inconsistent application of the law in practice, the individual approach of individual judges, police officers, social workers, medical staff, educational workers, and other professionals who're the contact point to the victims. Quality and well-established multisector cooperation of all relevant stakeholders in the field of violence prevention and control is necessary.

Far-right politicians are still terrified of gender ideology and including the term 'gender' in the Croatian legislation, even though this term is already being used in many laws, regulations, national strategies, Constitutional Court rulings, and decisions of specialized agencies, for more than 15 years. Some politicians are requesting amendments to all legislative acts in which the term 'gender' was used. For now, such requests did not reach any formal level.

Regarding the establishment of shelters for victims of domestic violence, the Croatian Government promised to establish 6 shelters by the end of 2019. So far, just 2 agreements for the establishment of shelters for victims of domestic violence were concluded.

Hungary: Signed 2014; Did not ratify

PATENT: Unfortunately, in Hungary the government already voted against the Convention's ratification in May 2020. The events and statements surrounding the topic are thoroughly described in [this summary](#). The government's main and most repeated objection is that the Convention includes the concept of gender, which they find "unconstitutional".

Moldova: Signed 2017; Did not ratify

Family Planning Association of Moldova: The Republic of Moldova signed the Istanbul Convention in February 2017, followed by a process of aligning national legislation with the provisions of this treaty. Due to the delay in ratification, on November 28, 2019, several non-governmental organizations, platforms, and activists came up with a public appeal requesting ex-Prime Minister Ion Chicu and Parliament Speaker Zinaida Greceanii to ratify the Convention by the end of 2019. Thus, on December 11, 2019, the subject of approving the draft law on ratification of the Convention was included on the agenda of the government meeting. However, before the meeting began, the subject was excluded from the agenda.

Following public pressure, on December 27, 2019, the subject was re-introduced on the agenda of the Government meeting and approved. According to art. 14 para. (2) of the Law on International Treaties of the Republic of Moldova No. 595-XIV of September 24, 1999, the President of the Republic of Moldova shall rule on the international treaty within a period not exceeding 60 days from the date of its presentation by the Government of the Republic of Moldova. Subsequently, the written request of the President should have been sent to the parliament. But it did not happen.

There are no legal grounds for delaying the ratification of the Convention. Experts in the field say that the Republic of Moldova is ready to ratify the Convention. However, some comments by politicians and some manipulative speeches disseminated by conservative and ultra-religious groups could prevent ratification of the Convention. The nature of informal relations between the ex-President Igor Dodon and the Russian Orthodox Church could be an obstacle to ratification. During one of the official visits to Moscow, Igor Dodon assured the patriarch of the Russian Orthodox Church “that our people will continue to keep the faith in our Church, and all branches of power in our country will pay special attention to preserving our traditional values and strengthening the status of the family in our society”.

In March 2020 the Council of Europe Commissioner for Human Rights, Dunja Mijatovic paid a visit to Moldova. In her report about the visit she wrote that “the Republic of Moldova should ratify the Istanbul Convention, improve its response to hate speech and advance access to quality healthcare, affordable housing and social inclusion for all.”

With legislation on domestic violence and its implementation increasingly in line with international standards, Commissioner Mijatovic urged the Moldovan authorities to ratify the Istanbul Convention without further delay.

Poland: Signed 2012; Ratified 2015

Federation for Women and Family Planning: Just as in other Eastern European countries, Istanbul Convention caused a heated debate in Poland. The decision to sign (and later ratify) was deemed “radical and leftist” by many – conservative voices warned of the document “ending traditional Polish family”. Convention has also been associated with “gender ideology”, at which point some started calling it an ideological tool of Western Europe against Christianity and tradition. This narrative is still present in the public discourse today, often used not only by fundamentalist activists but also conservative politicians. Talks of withdrawing from the Convention started just a few months after the ratification due to a change of government. Since 2015, we have been observing an organised, meticulously planned long-term action aimed at undermining the document. Just over a month ago a civil draft bill called “Yes to family, no to gender” was forwarded to a committee for further discussions – the opposition’s motion to dismiss the bill altogether was outvoted by the ruling majority. Polish women’s rights NGOs are campaigning in order to raise awareness about the nature of the Istanbul Convention, but we are still balancing on the edge of withdrawing from the Convention. We recommend [this Euractiv article](#) that covers the most recent events.

Russian Federation: Did not sign

Russian Association for Population and Development: The Istanbul Convention is signed by the European Union and 46 countries and only two countries that are members of the Council of Europe have not ratified or signed the convention — the Russian Federation and Azerbaijan.

Nevertheless, the long and painful struggle for the adoption of the law on the prevention of domestic violence continues in Russia. The bill was prepared for a long time, in September 2020, the Speaker of the Federation Council Valentina Matvienko again stressed that the issue of countering family and domestic violence is a priority and should be resolved in the autumn session. However, the resistance that meets this obviously necessary initiative is difficult to explain. The key argument is still the inviolability of patriarchal values in the way of Russian families. At the same time, the authors and supporters of the bill are accused of the most unthinkable sins, among which, of course, is adherence to foreign Western values.

In the same vein, in 2018, the Russian Federation explained to the UN Human Rights Council the reasons for refusing to ratify the Istanbul Convention. Among them, the non-compliance of the provisions of the Convention with the “fundamental approaches of the Russian Federation to the

protection and promotion of traditional moral and family values and the Concept of the State family Policy of the Russian Federation until 2025” was mentioned.

Unfortunately, as a result of numerous administrative reforms in Russia, specialized bodies for the protection of women’s rights were eliminated: the Interdepartmental Commission on the Status of Women under the Government of the Russian Federation, the Interdepartmental Commission on Domestic Violence, Sexual Violence and Human Trafficking, the Commission on the Status of Women in the Russian Federation under the leadership of the Deputy Prime Minister of the Russian Federation and the Commission on Women, Family and Demography under the President of the Russian Federation. Ensuring and protecting women’s rights today is actually carried out by three structures — the Committee on Social Policy of the Federation Council, the State Duma Committee on Family, Women, and Children, as well as the Ministry of Labor and Social Protection.

Except the countries described above, the Istanbul Convention in other countries of the region represented in the Network stands as follows:

Albania: Signed 2011; Ratified 2013

Armenia: Signed 2018; Did not ratify [Detailed story [here](#)]

Azerbaijan: Did not sign

Bulgaria: Signed 2016; Did not ratify

Georgia: Signed 2014; Ratified 2017

Latvia: Signed 2013; Did not ratify

Lithuania: Signed 2016; Did not ratify

North Macedonia: Signed 2011; Ratified 2018

Romania: Signed 2014; Ratified 2016

Slovakia: Signed 2011; Did not ratify

Ukraine: Signed 2011; Did not ratify

Belarus, Kazakhstan, Tajikistan, and Uzbekistan are not members of the Council and they cannot, therefore, join the Convention.

Source: [ASTRA Network](#)

REGIONAL UPDATES

The brutal persecution of LGBTQ in Chechnya

(...) Chechen society is strongly influenced by conservative and patriarchal values. Today's norms and social codes originate from centuries-old Chechen customary law (adat), which attributes strong heteronormative roles – i.e. a clear separation between the male and female gender, and their respective roles in society. These roles affect many areas of Chechen life and manifest in strict gender codes, such as the compulsory wearing of a headscarf for women, and the acceptance of polygamy for men. Sexual orientation is also subject to strict heteronormative rules. Any expression of a non-heterosexual identity is seen as a violation of the norm – even though homosexuality is not a punishable offense under Russian law, which also applies in Chechnya. The Chechen government extensively promotes heteronormative and patriarchal values as “unwritten laws” it uses as justification to oppress various groups, especially LGBTQ. On several occasions, Chechen officials have claimed that there are no LGBTQ people in the republic. In an interview with the US television channel HBO, Head of the Republic Ramzan Kadyrov described LGBTQ people as “devils” and “subhuman.” Kheda Saratova, Kadyrov's advisor and representative of the Chechen Human Rights Council, also stated in an interview that living out a non-heterosexual orientation goes against tradition and will therefore be fought until there are no LGBTQ people left in Chechnya. These statements show society's profound gendering, which demands unconditional adherence to heteronormativity. At the same time, these statements show that the Chechen government explicitly aims to oppress and eradicate LGBTQ people as a group. (...)

More information available in a [bigger analysis](#) provided by European Center for Constitutional and Human Rights.

International Sexual and Reproductive Rights Coalition (ISRRC) statement on the outcome of the 54th session of the Commission on Population and Development

The International Sexual and Reproductive Rights Coalition (ISRRC) welcomes the outcome resolution of the 54th session of the Commission on Population and Development (CPD) on the special theme on population, food security, nutrition and sustainable development.*

After several years of difficult negotiations without outcomes, this year's consensus agreement is the recognition of the Commission's crucial mandate on the review of implementation of the ICPD

Programme of Action, reaffirming the global commitment from Member States to accelerate implementation of 2019 CPD Political Declaration and Nairobi Summit for ICPD+25.

We applaud the Chair's initiative to include civil society inputs for the first time on the Methods of Work for the Commission as well as the CSO consultation undertaken by the co-facilitators on the draft outcome document. ISRRC welcomes these initiatives and stresses that subsequent sessions of the CPD, whether in person or virtual, should also continue with this inclusive approach to ensure meaningful participation in the process.

ISRRC is very pleased to see the outcome resolution has maintained the lines of previously agreed language on sexual and reproductive health and rights (SRHR). We also welcome the resolution's strong reference linking sexual and reproductive health and reproductive rights and the impacts of the COVID-19 on health systems and the need for Universal Health Coverage. Additionally, the text sufficiently addresses the current impacts of the pandemic on food insecurity, malnutrition and humanitarian needs as well as its disproportionate impacts on women and girls, including child, early and forced marriage, female genital mutilation, sexual and gender-based violence, domestic violence, unintended pregnancies and violence in digital contexts, among others. The outcome resolution also recognizes the ability and potential of adolescents and young people and urges the removal of all types of barriers to protect their health and to actively support and invest in increased participation of young people and in youth-led and youth-focused organizations. Furthermore, it also reaffirms the outcomes of the ICPD reviews as they are an integral part of the Cairo agenda and part of the accountability framework to assess the progress towards the implementation of the Programme of Action.

The outcome document reflects Member States' commitment towards the ICPD agenda and its implementation. This year's outcome is also a product of the outstanding work of the co-facilitators and the Commission's Chair, who played an instrumental role in ensuring a consensual outcome. Lastly, we also commend the flexibility and spirit of compromise exhibited by various Member States to ensure the adoption of an outcome during this year's session, which reaffirms the crucial importance of the Commission as the only UN intergovernmental body entrusted with the implementation and follow-up of the ICPD Programme of Action.

** Established in 2011, the International Sexual and Reproductive Rights Coalition is a global coalition with more than a 100 organisations worldwide in support of sexual and reproductive health and rights who engage in CPD sessions with the purpose of information sharing and strategizing to reach progressive SRHR outcomes.*

[Statement](#)

Follows is the adopted resolution in all UN official languages: <https://undocs.org/en/E/CN.9/2021/L.5>

Source: [NGO's beyond 2014](#)

FROM ASTRA MEMBERS

An overview of Polish post abortion-ban landscape

Access to abortion and other SRHR after the decision of the illegitimate CT

(...) From 22 October 2020 to 22 April 2021, the Federation for Women and Family Planning has consulted around 2, 000 persons. Federation's employees and helplines every day assist women in all kind of reproductive health queries: on access to abortion but also about pregnancy care, contraception (including emergency contraception and access to intrauterine device), antenatal testing which is performed drastically less since the decision of the illegitimate Tribunal. There are many questions about legal penalties for helping in abortion, ordering pills, legal issues around access to benefits/services after having abortion care in Poland or abroad. The Federation's helpline provides SRHR assistance by gynaecologists, sexuality educators, psychologists and lawyers. For the lack of any sexuality education provided for youth, sexuality educators at the Federation are stormed with questions regarding basic information on contraception, sexual initiation and prevention of sexually transmitted diseases.

Very obvious impact of the compromised decision is the chilling effect on doctors who risk up to 3 years of imprisonment for performing abortion outside the legal framework. To lessen the chilling effect, the Federation forges a path for an extensive interpretation of the ground for abortion which refers to the threat to women's life/health so that it could cover mental health problems related to pregnancy. We are building a coalition of women friendly network of doctors (gynaecologists, psychiatrists) who are willing to help women in these challenging circumstances.

Abortion Without Borders, a network of organisations in Poland and abroad helping Polish women in access to medical abortion or abortion care abroad announced that during 6 months from issuing the decision by the flawed CT they have assisted 17, 000 women in access to abortion, 600 of which left for abortion care to the clinic abroad. (...)

Campaigns and initiatives of anti-rights organisations

From the end of 2020 cities in the whole Poland are flooded by the anti-abortion and anti-divorce billboards. Only until 1 February, according to the estimates of Media People (relying on data from Kantar Media), the foundation behind the campaign is estimated to have spent approximately 5,5 mln PLN (1 mln 200 EUR)[2]. These billboards, with the new designs keep appearing in the public space and keep spamming our collective perceptions.

In April 2021 the Federation commissioned a poll with the purpose to find out what the public opinion thinks about this anti-abortion campaign and whether it influences citizens views on abortion. According to the answers received, 82 % of the people who had seen the billboards of the campaign, have not changed their view on abortion. It is however concerning that such significant resources are spent on ineffective campaigns while the money could be spend on so many initiatives who could help women and families in Poland.

Launching of the new citizen's initiative to criminalise women for abortion

In March 2021 a new bill criminalizing abortion was presented by citizens' initiative led by anti-rights group. If adopted, the bill would afford full legal protection to the fetus from the moment of conception and limit the grounds for legal care by banning abortion in cases where pregnancy results from sexual assault or if the health of a pregnant person is at risk, as provided for in the Family Planning Act currently in force. Abortion would be treated as homicide punishable up to 25 years of imprisonment or even life imprisonment, although the court would have discretion to issue a more lenient punishment or waive the punishment altogether.

New legislative initiative of Polish conservative MPs

16 Polish MPs aligned with the conservative ruling coalition have presented another draft bill, which, under the pretext of providing care to pregnant women whose fetuses have a "suspected or diagnosed lethal defect," would require them to be referred to antenatal hospices where their pregnancies would be monitored and their decisions about pregnancy could be influenced.

“Stop abortion crimes” campaign

The antirights campaigners launched action called “Stop abortion crimes” which encourages citizens to lodge criminal complaints against anyone, especially SRHR activists and persons providing help in access information and SRHR services[5]. Persons supporting women to access medical abortion on the private groups on social media were already reported to the police for the alleged “genocide”.
(...)

Lost battle for the Ombudsman, last independent institution in Poland

On 13 April 2021 the lacking legitimacy Constitutional Tribunal held a hearing following which the current Ombudsman, Adam Bodnar has lost the right to hold the office until his successor is sworn in.

On 9 September 2020, Adam Bodnar’s 5-year term as the Ombudsman ended. Pursuant to Art. 3 sec. 6 of the Act on the Ombudsman, he was still expected to perform his duties until the new Ombudsman takes over. Politicized Tribunal made it impossible while two chambers of Sejm, who both need to agree on the appointment of the new Ombudsman have not been able to agree on the candidates who have been proposed so far.

As a result of this decision the path to complain about the functioning of the State institutions will be unavailable for the citizens and the continuity of the State organ ruptured which is seriously detrimental to the fulfillment of the constitutional obligations by the State.

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

Pregnant in a war zone – our member’s support for Artsakh women

During war and in the post-war period, the specific needs of Artsakh women, particularly pregnant women, related to reproductive health and hygiene were left out. The Women's Resource Center has been working on women's sexual and reproductive health issues for many years, and pregnant women have always been the organization's main target group. In the post-war period, having the opportunity to work with displaced women in shelters, a needs assessment of pregnant women was conducted, which revealed that women were deprived of the necessary humanitarian aid.

Within the framework of the Frontline Aid project, the Women's Resource Center NGO collected data on pregnant women in Artsakh and provided humanitarian aid, providing one-month access kits for each pregnant woman. The package included essential items for both the pregnant women and the

newborns, including hygiene and care materials, as well as newborn's clothes and bedding. The newborns' bedding were made by members of the "Shuhel" handmade women's group, who diligently made 50 pairs of bedding in one month. Within the framework of the program, 101 pregnant women from Artsakh were assisted during two months, assessing the needs and collecting the necessary documents.

Source: [Women's Resource Center](#)

RESOURCES

Progress towards the Sustainable Development Goals - Report of the Secretary-General

A new report from the United Nations Secretary General was published in April. It presents an overview of progress of implementing Sustainable Development Goals around the world in the times of COVID-19.

From the introduction:

In accordance with General Assembly decision 70/1, this report provides a global overview of the current situation of the Sustainable Development Goals, based on the latest available data (as of April 2021) on the global indicator framework for the SDGs 1 . It was prepared with inputs from over 50 international and regional organizations.

https://sustainabledevelopment.un.org/content/documents/27610SG_SDG_Progress_report_2021.pdf

UPCOMING EVENTS

“Accountability in sexual and reproductive health and rights research” – a webinar from Sexual and Reproductive Health Matters

Join us on May 17, 2021 for a webinar on ACCOUNTABILITY as part of a dialogue series on rights-based research and knowledge creation for sexual and reproductive health.

Sexual and reproductive health and rights (SRHR) laws, policies and programmes across the world are increasingly influenced by ideologically-inspired politics and rhetoric, which lack any basis of evidence, often violate human rights, and damage health.

This dialogue series will address how rights principles, such as accountability, autonomy, non-discrimination and participation can be made as main components of SRHR research for the advancement of evidence and rights based laws, policies and practices.

The first event of this series will focus on ACCOUNTABILITY and will explore the core areas that SRHR accountability research must address, including social and political contextualisation of accountability, unpacking the operations of power, the context of community driven accountability interventions and addressing marginalisation through accountability research.

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; Romania – SEXUL vs BARZA/SEX vs THE STORK; Russia - Novgorod 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

Prepared by Antonina Lewandowska

ASTRA Secretariat

Federation for Women and Family Planning
Nowolipie 13/15, 00-150 Warsaw, Poland
ph/fax +48 22 635 93 95, federa@astra.org.pl
www.astra.org.pl

Follow ASTRA on Facebook and Twitter