

Population and Human Rights

Individual rights at the center of population policy

*A Pivotal Moment: Population, Justice, and the
Environmental Challenge*

Woodrow Wilson Center for Scholars

October 27, 2009

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Necessary Elements of a **Rights-Based** Population Policy:

I. Human Rights

II. Holistic approach to reproductive health

III. Advancement of women

IV. Special consideration for adolescents

Principal **Human Rights** Relevant to Population Policy

The right to:

- **Health, Reproductive Health and Family Planning**
- Life, Liberty and Security
- Privacy
- Be Free from **Gender Discrimination**
- Modify Customs that Discriminate Against Women
- Marry and Found a Family
- **Decide the Number and Spacing** of Children
- Education
- Be Free from Sexual Assault and Exploitation
- **Enjoy Scientific Progress** and Consent to Experimentation
- Not be Subjected to **Torture** or Other **Cruel, Inhuman, or Degrading Treatment** or Punishment

Human Rights Origins of Reproductive Rights

1948: Universal Declaration of Human Rights



1968: First International Conference on Human Rights



1976:

International Covenant on Civil and Political Rights

International Covenant on Economic, Social and Cultural Rights

CEDAW and ICPD: Watershed Moments for Reproductive Rights

CEDAW

- Adopted by UN in 1979
- 1st & only global treaty that explicitly affirms reproductive rights
- Affirms the centrality of reproductive rights to women's human rights
- Signed and ratified by 185 UN member states—but not the U.S.

ICPD

- Program of Action adopted by 179 countries in 1994
- 1st rights-based international consensus document on population
- Defined reproductive rights for the first time in an international policy document

Reproductive Rights:

ICPD Program of Action Definition

*“**Reproductive rights** embrace certain human rights that are **already recognized** in national laws, international human rights documents and other consensus documents. The rights rest on the recognition of the basic rights of all couples and individuals to decide **freely** and **responsibly** the **number, spacing and timing** of their children and to have the **information and means** to do so, and the rights to attain the **highest standard of sexual and reproductive health**. It also includes their right to make decisions concerning reproduction **free of discrimination, coercion and violence**, as expressed in human rights documents.”*

Power of Human Rights Law

- International human rights treaties may **supersede** inconsistent domestic law
- Human rights guarantees are the foundation for **domestic legislation**
- **Enforcement** authority of regional and other mechanisms
- National human rights **monitoring institutions** in at least 110 countries

Former Peruvian President Fujimori Convicted of Human Rights Violations

Peru's Fujimori gets 25 years prison for massacres

Tue Apr 7, 2009 6:51pm EDT

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By Teresa Céspedes and Terry Wade

LIMA (Reuters) - Former Peruvian President Alberto Fujimori was convicted of human rights crimes and sentenced to 25 years in prison on Tuesday, the first time a democratically elected Latin American president has been found guilty in his own country of such offenses.

A three-judge panel convicted him of ordering a military death squad to carry out two massacres that killed 25 people during his 1990-2000 rule, when he was battling communist guerrillas. Nearly 70,000 people died in two decades of conflict in the Andean country.

RELATED NEWS

- ▶ **FACTBOX:** The legacy of Peru's Alberto Fujimori
07 Apr 2009

Once lauded as a hero, Fujimori, 70, could spend the rest of his life in prison. The verdict is likely to have far-reaching political implications for Peru.

"He was the president who saved our country from terrorism," the former president's daughter Keiko Fujimori, a presidential hopeful and popular lawmaker, said as she called for supporters to march in the streets to protest the verdict.



Peru's Forced Sterilization Campaign

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Fujimori ordenó la esterilización forzosa de 200.000 mujeres indígenas en Perú

Las pacientes recibieron amenazas y alimentos para someterse a la intervención

LAUJ **The New York Times**

Vota
Monday, October 26, 2009

World

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Using Gifts as Bait, Peru Sterilizes Poor Women

By CALVIN SIMS

Published: Sunday, February 15, 1998

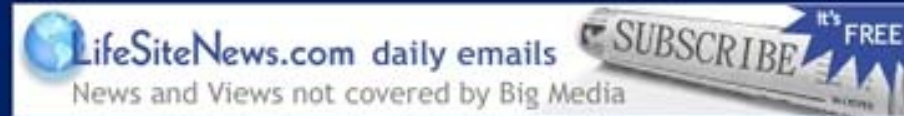
For Magna Morales and Bernadina Alva, peasant Andean women who could barely afford to feed their families, it was a troubling offer but one they found hard to refuse. Shortly before Christmas,

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Thursday March 16, 2000

USAID SUPPORTING FORCED STERILIZATION IN PERU?

WASHINGTON, Mar 16 (LSN.ca) - On Tuesday, US Congressmen Todd Tiahrt and Chris Smith called for an investigation into allegations brought by the Population Research Institute (PRI) which has found evidence that the Peruvian government is using money from the US Agency for International Development (USAID) for forced sterilization of women. Earlier evidence of such activity led to the passing of the Tiahrt Amendment on 25 October 1998, which ensures that US funds will only go to "voluntary" family planning programs.

However, during a December 1999 investigation, PRI obtained additional testimony from Peru about recent, ongoing abuses in Peru's state-run family planning program. The Conservative News Service (CNS) reports that USAID continues to fund family planning projects overseen by the Peruvian Ministry of Health (MOH) and its associated,

Rights-based Population Policy Proposed in the Philippines

“The State upholds and promotes responsible parenthood, informed choice, birth spacing and respect for life in conformity with internationally recognized human rights standards.”

The New York Times

Asia Pacific

WORLD U.S. N.Y. / REGION BUSINESS TECHNOLOGY SCIENCE HEALTH SPORTS OPINION

AFRICA AMERICAS **ASIA PACIFIC** EUROPE MIDDLE EAST

Birth Control Bill Has Enemies in Philippines



Luis Umanag for The International Herald Tribune

Gina Judilla, left, says she cannot afford to have more children. New legislation would require governments in Philippines to provide free or low-cost reproductive health services.

By CARLOS H. CONDE

Published: October 25, 2009

MANILA — Gina Judilla already had three children the first time she tried to terminate a pregnancy. “I jumped down the stairs, hoping that would cause a miscarriage,” she said. The fetus survived and is

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(03)

Guiding Principles:

- Reproductive health goes beyond a demographic target because it is principally about health and rights
- Gender equality and women empowerment are central elements of reproductive health and population development
- Protection and promotion of gender equality, women empowerment and human rights, including reproductive health rights, are imperative
- Respect for, protection and fulfillment of reproductive health rights seek to promote not only the rights and welfare of adult individuals and couples but those of adolescents' and children's as well



Thank you.

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- *Broadly conceived, reproductive rights encompass two major principles: the right to reproductive health care and the right to reproductive self-determination. Furthermore, and importantly, the reproductive rights framework recognizes the paramount importance that reproduction plays in the lives of the overwhelming majority of women.*

Women's Rights Framework



1975

**First World
Conference on
Women's Rights
(Mexico City)**

1980

**Second World
Conference on
Women's Rights
(Copenhagen)**

1985

**Third World
Conference on
Women's Rights
(Nairobi)**

1993

**Vienna
World
Conference
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Rights**