**Working Group on discrimination against women and girls**

**Women’s autonomy, equality and reproductive health**

Background

The UN Working Group on the issue of discrimination against women and girls has expressed concern about severe challenges to the universality of women’s rights in the global community. These challenges stem from economic crisis, austerity measures, as well as cultural and religious conservatism.

The HRC 2017 Resolution on the elimination of discrimination against women acknowledges a backlash against women’s right to equality. It is within this context of rising fundamentalisms and backlash against women’s human rights that the current discourse on the termination of pregnancy is taking place at the international level. This is the reason why the expert group decided to clarify its stance with regards to termination of pregnancy in a position paper published in 2017.

Summary

The Working Group reminds readers of women’s human rights, which include the rights without discrimination to: equality, dignity, autonomy, information, bodily integrity, respect for private life, the highest attainable standard of health, including sexual and reproductive health, and freedom from torture and cruel, inhuman and degrading treatment. The right of a woman or girl to make autonomous decisions about her own body and reproductive functions is at the core of her basic rights to equality, privacy, and bodily integrity.

Equality in reproductive health includes access, without discrimination, to affordable, quality contraception, including emergency contraception. The decision as to whether to continue a pregnancy or terminate it may shape a woman’s entire future personal life as well as family life. The decision has a crucial impact on women’s enjoyment of other human rights. The decision is therefore fundamentally and primarily the woman’s decision.

Accordingly, and following the good practice of many countries, the Working Group has called for allowing women to terminate a pregnancy on request during the first trimester.

The Working Group has also called for:

Recognition that equality in the supply of health services requires a differential approach to women and men, in accordance with their biological needs;

An end to prosecutions and punishment of women or medical service providers for murder or manslaughter for termination of pregnancy (As established in 1948 by UDHR, and upheld in the ICCPR, the human rights accorded under IHRL are accorded to those who have been born);

Decriminalization of the termination of pregnancy and repeal of restrictive abortion laws which have persisted or are being newly passed and give deference to a societal interest in gestation in preference to protecting the woman’s right to life, health and her other human rights;

Protection of the right to safe termination of pregnancy in the context of the right to life enshrined in article 6 of the ICCPR;

The provision of access to termination of pregnancy for adolescent girls, as a measure of equality and health, so that they can complete their school education and protect them from the high risk to life and health;

States to ensure that access to health care, including reproductive healthcare, is autonomous, affordable and effective;

A series of measures regarding termination of pregnancy, such as:

That it be carried out by qualified medical service providers in a safe environment;

That it no longer requires third-party authorization;

That training to health providers be provided;

That non-discriminatory health insurance coverage be provided;

That conscientious objection to the direct provider be restricted, among other measures.