

**Commission on Population and Development
Forty-fifth session, April 23-27, 2012
Oral Statement Submitted by Center for Reproductive Rights**

The Center for Reproductive Rights is an international legal advocacy organization that uses the law to advance reproductive freedom as a fundamental human right that all governments are legally obligated to protect, respect, and fulfill. The Center envisions a world where every woman and girl participates with full dignity as an equal member of society.

The Programme of Action adopted at the International Conference on Population and Development explicitly affirmed the reproductive rights of adolescents. It emphasized the need to safeguard and promote adolescents' rights to privacy, confidentiality, respect and informed consent. It also underscored their rights to health education, information and care. Since its adoption, international human rights bodies that monitor States' compliance with their human rights obligations have strengthened our understanding of the steps that need to be taken to implement the Programme of Action, and the violations of adolescents' reproductive rights that undermine efforts to achieve this.

Adolescents and youth worldwide have been widely underserved by sexual and reproductive health services. Globally, nearly half of the deaths resulting from unsafe abortion in 2003 occurred among adolescents and adults below the age of 25. Additionally, complications from pregnancy and childbirth are the leading causes of death for 15 to 19-year-old girls in the developing world. Adolescents' inability to access sexual and reproductive health services is unacceptable.

The Convention on the Rights of the Child indicates that States should promote the best interests of youth with due regard for their evolving capacities. The "evolving capacities of the child" standard recognizes that many youth have the maturity and ability to make their own decisions. They can also anticipate and bear responsibility for the consequences of their decisions.

Youth and adolescents have the right to access confidential and non-discriminatory sexual and reproductive health education, information and services. They must be able to make informed decisions about their sexual and reproductive health, which will encourage them to access care. In this way, integrating the "evolving capacities" standards will reduce adolescent and unwanted pregnancies, unsafe abortions, and maternal mortality rates, and prevent the transmission and spread of sexually transmitted infections and HIV/AIDS among young people.

Removal of Legal and Policy Barriers and Ensuring Access to Sexual and Reproductive Health Services

Paragraph 7.45 of the Programme of Action calls on States to remove legal barriers to reproductive health care for adolescents. Such barriers include parental or spousal consent requirements, which violate adolescents' right to confidentiality, as well as financial obstacles to reproductive health care.

To guarantee the reproductive rights of adolescents, States must create and ensure access to comprehensive, age-appropriate sexual and reproductive health services through their health policies.

The Committee on the Elimination of Discrimination against Women, which oversees States' compliance with the Convention on the Elimination of All Forms of Discrimination against Women, has underscored this obligation. The Committee recently found violations of the right to health and freedom from sex role stereotyping and prejudice when hospital staff denied a legal abortion to a young girl. In 2005, the Human Rights Committee, which oversees States' compliance with the International Covenant on Civil and Political Rights, reached a similar conclusion. It identified violations of the rights to privacy, freedom from cruel, inhuman and degrading treatment and special measures for minors, when an adolescent was denied access to legal abortion services. It is essential that States show their continued commitment to these human rights obligations here at the Commission on Population and Development.

Accountability

The Center for Reproductive Rights calls on States to establish and implement effective, transparent accountability mechanisms to guarantee compliance with their obligations to uphold adolescents' reproductive rights. These mechanisms must be inclusive of all stakeholders, including youth. They must permit the swift identification of problems in service design and delivery and appropriate measures to address and remedy them. Importantly, effective accountability mechanisms will allow States to demonstrate to their people that they are taking steps to implement the reproductive rights of adolescents and youth.

At this year's Commission on Population and Development, the Center for Reproductive Rights urges the adoption of a strong resolution on adolescents and youth grounded in the reproductive rights set forth in the Programme of Action, the Convention on the Rights of the Child and other relevant international human rights treaties. This resolution must emphasize States' obligations to remove legal and policy barriers that compromise adolescents' access to sexual and reproductive health services. It must also call on States to establish and implement effective accountability mechanisms to ensure that adolescents are able to exercise their reproductive rights.