10 April 2019

Dear Sir or Madam,

I have the honor to address you in my capacity as Special Rapporteur on violence against women, its causes and consequences, pursuant to Resolution 1994/45 of the then Commission on Human Rights and subsequent Resolutions 16/7, 23/25 and 32/16 of the Human Rights Council. Pursuant to my mandate, I have identified the issue of mistreatment and violence against women during reproductive health care and childbirth as the subject of my next thematic report to be presented at the 74th session of the General Assembly in September 2019.

Mistreatment and violence against women during reproductive health care and facility-based childbirth is a serious violation of women’s human rights which occurs across all geographical and income-level settings[[1]](#footnote-1). In a statement published in 2014, the World Health Organization reported that disrespectful and abusive treatment occurs during childbirth in facilities and includes “*outright physical abuse, profound humiliation and verbal abuse, coercive or unconsented medical procedures (including sterilization), lack of confidentiality, failure to get fully informed consent, refusal to give pain medication, gross violations of privacy, refusal of admission to health facilities, neglecting women during childbirth to suffer life-threatening, avoidable complications, and detention of women and their newborns in facilities after childbirth due to an inability to pay*.”[[2]](#footnote-2)

International human rights bodies and experts have addressed some of the types of mistreatment and violence, however, they have focused on a limited number of issues and their analysis of those issues has largely failed to take into account the broader context in which mistreatment and violence occur. In my forthcoming report, I aim to build on the existing standards to offer a more holistic presentation of the mistreatment and violence that women experience when accessing reproductive health services and particularly during facility-based childbirth, as well as its causes, and provide recommendations for States on how to address these issues. As such, the report seeks to lay the foundation for States to develop appropriate policies and strategies to ensure human rights-based approach to health care and accountability for human rights obligations and political commitments. My report will be the first human rights report by a special procedure dedicated to the issue of mistreatment and violence experienced by women in reproductive health care and facility-based childbirth and placing it in the broader context of a continuum of sexual and reproductive rights violations.

In this regard, I would like to secure views from States, non-governmental organizations, National Human Rights Institutions as well as members of academia on the following questions:

1. Please indicate whether in your country there are cases of mistreatment and violence against women during reproductive health care, particularly facility-based childbirth. If so, please specify what kind of cases and describe your country’s response and any good practices, including protection of human rights;
2. Please specify if full and informed consent is administered for any type of reproductive health care and if these include childbirth care;
3. Please specify whether there are accountability mechanisms in place within the health facilities to ensure redress for victims of mistreatment and violence, including filing complaints, financial compensation, acknowledgement of wrongdoing and guarantees of non-repetition. Please indicate whether the ombudsperson is mandated to address such human rights violations;
4. Does your health systems have policies that guide health responses to VAW and are these in line with WHO guidelines and standards on this issue, see:

<https://apps.who.int/iris/bitstream/handle/10665/259489/9789241513005-eng.pdf;jsessionid=87D2C09FA4E78A6C623ADA9989B2E34E?sequence=1>

<https://www.who.int/reproductivehealth/publications/violence/9789241548595/en/>

All submissions should be sent to Roberta Serrentino (mserrentino@ohchr.org, +41229179915) and Orlagh McCann (omcann@ohchr.org, + 41229179902) or vaw@ohchr.org **by 17 May 2019**. You are kindly invited to provide your submissions in English, French or Spanish, which are the working languages of the Secretariat.

Please accept, Excellency, the assurances of my highest consideration.



Dubravka Šimonovic

Special Rapporteur on violence against women, its causes and consequences

1. Bohren MA et al., The Mistreatment of Women during Childbirth in Health Facilities Globally: A Mixed-Methods Systematic Review, available at: <https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1001847> [↑](#footnote-ref-1)
2. World Health Organization, statement on “prevention and elimination of disrespect and abuse during childbirth, available at <https://www.who.int/reproductivehealth/topics/maternal_perinatal/statement-childbirth/en/> [↑](#footnote-ref-2)