13 December, 2011

To
Office of the United Nations High Commissioner for Human Rights
(United Nations Office at Geneva,
CH 1211 Geneva
Switzerland

Ref: Guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity.


Hon, ble Madam/Sir,

One of the Millennium Development Goals (MDG) is to improve maternal health, with the target of reducing maternal mortality by three-quarters between 1990 and 2015. In an effort to accelerate progress towards achieving this MDG, our approaches that aim to improve maternal health outcomes and can serve as a useful process to improve current maternal health programming.

India, as the democracy and a welfare state, has a responsibility to act on behalf of its poor and vulnerable people who constitute 50% of the total population. With an aim to tackle issues like hunger, education, health, gender equality, and employment, the Government has announced several schemes, but the benefits of these schemes often fail to reach the most deserving.

Similarly, the Government from time to time has announced good schemes to reduce the high numbers of maternal mortality and morbidity. One such scheme is the National Rural Health Mission’s National Maternal Benefit Scheme, as it is called, the Janani Suraksha Yojana (JSY), a
cash incentive paid to women below the poverty line to increase institutional delivery and ensure nutrition for pregnant women. However, proper and effective implementation of JSY is at best poor and at worst non-existent, resulting in an estimated more than 100,000 maternal deaths each year.

Even though the Government has failed to conduct mandated maternal work and projects in most remote and rural areas. Women living below the poverty line, most often in rural areas, Schedule Caste, Schedule Tribal, and from minorities and adolescent girls are most vulnerable. They are the ones for whom the government has announced the JSY scheme, yet they are the ones in real life denied the benefits guaranteed under JSY. In many of the cases, poor women in labour have been refused admission to government and private hospitals and had no other option but to deliver on the street or pavement in front of the hospital or in home by old technique.

It is so important to ensure women's human rights in order to eliminate preventable maternal death and injury due to there are a number of reasons:

• Maternal death is not inevitable; women have a right to lifesaving care. Governments are obliged to respect, protect, and fulfill human rights related to universal access to good quality health services that help prevent maternal mortality and morbidity.

• The poorest and most vulnerable women face the greatest barriers to care. Affordable, accessible, acceptable and quality obstetric and reproductive health services are the right of all women, including women living in poverty women.

• To save women's lives, health-care providers must respect women's dignity and rights. Good-quality obstetric and other reproductive health services administered respectfully are the right of all women including those who are living in poverty.

• Ensuring women's right to determine the number and spacing of their children and to autonomy in their sexual and reproductive lives is essential to reducing maternal mortality.

• Women must be able to enjoy their right to participate in public life and decision making. Governments have a responsibility to ensure that women are empowered to take part in the formulation and implementation of programs, at all levels of health care management.

• Maternal health must be made a budgetary priority. Governments must allocate and effectively spend increasing and sustained resources to strengthen their health systems and make them available, accessible, affordable and acceptable.
Human rights-based approach to maternal mortality and morbidity

The practical implications of the human rights values of dignity and nondiscrimination result in a set of working principles that form the basis of a human rights approach. The treaty bodies and United Nations experts have clarified the importance of seven such principles: accountability, participation, transparency, empowerment, sustainability, international cooperation and non-discrimination. These principles have particular application when examining a human rights-based approach to addressing maternal mortality and morbidity as discussed in this section.

Given that preventable maternal mortality represents a violation of women's human rights, it follows that our on-the-ground efforts to combat maternal death should incorporate human rights Principles. This is key if our ultimate goal is to lead to more effective interventions and sustainable results. A rights based approach entails transforming existing policies so that women's rights are placed at the center and so that government policies conform to the principles of meaningful participation, inclusion, and accountability.

Human rights related to maternal mortality should be on

- Right to life.
- Right to health.
- Equality and non-discrimination.
- Right to reproductive self determination.
- Right to participation.

Conclusions and recommendations

Under resolution 11/8, the Human Rights Council for recommendations,

In order to scale up efforts and accelerate progress towards achieving the Millennium Development Goal to improve maternal health, however, we must also be able to implement effective maternal health programs given under our country’s particular setting, policies, and resource constraints.

For achieving the Millennium Development Goal to improve maternal health requires commitment, support, coordination, and inputs from a range of partners, including donor agencies, governments, non-governmental organizations, international assistance agencies and health. It is especially critical that these maternal health programs reach the poorest households and reduce the existing inequalities in utilization of services. Governments need to provide safety program for the poor and target poor regions for achieve Millennium Development Goal 5 on improving maternal health, and options for better addressing the human rights dimensions of preventable maternal mortality and morbidity throughout the United Nations system.
Government and Non-Government efforts to ensure the full effective implementation of human rights obligations” in the context of eliminating preventable maternal mortality and morbidity. While the work of the United Nations human rights mechanisms, international and regional actors has progressively elaborated on the human rights dimensions of maternal mortality.

Kindly publish this paper on the OHCHR webpage.

Thanking you,

MUKESH KUMAR MISHRA
SECRETARY GENERAL
KRITYANAND UNESCO CLUB
JAMSHEDPUR, INDIA.

E-mail: knunesco@yahoo.com