

THE RIGHT TO KNOW

**Human rights and access to
reproductive health information**

Edited for ARTICLE 19
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APP. A
INTERNATIONAL
INSTRUMENTS

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INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Adopted and opened for signature, ratification and accession by General Assembly resolution 2200 A (XXI) of 16 December 1966. Entered into force on 3 January 1976.

Preamble

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world

Article 2

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 12

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

- a. The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;
- b. The improvement of all aspects of environmental and industrial hygiene;
- c. The prevention, treatment and control of epidemic, endemic, occupational and other diseases;
- d. The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS,

Adopted and opened for signature, ratification and accession by General Assembly resolution 2200 A (XXI) of 16 December 1966. Entered into force on 23 March 1976.

Preamble

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world

Article 2

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. ...

Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

Article 6

1. Every human being has the inherent right to life. This right shall be protected by law. ...

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Article 9

1. Everyone has the right to liberty and security of person. ...

Article 17

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home ...

Article 19

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain

and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

-
- b. To have access to adequate health care facilities, including information, counselling and services in family planning.
-
- d. To obtain all types of training and education, formal and non-formal, including that relating to functional literacy

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

-
- e. The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights

HUMAN RIGHTS DECLARATIONS

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 3

Everyone has the right to life, liberty and security of person.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 29

...
(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

...

THE PROCLAMATION OF TEHERAN

Proclaimed by the International Conference on Human Rights at Teheran on 13 May 1968.

15. The discrimination of which women are still victims in various regions of the world must be eliminated. An inferior status for women is contrary to the Charter of the United Nations as well as the provisions of the Universal Declaration of Human Rights. The full implementation of the Declaration on the Elimination of Discrimination against Women is a necessity for the progress of mankind;

16. The protection of the family and of the child remains the concern of the international community. Parents have a basic human right to determine freely and responsibly the number and the spacing of their children;

17. The aspirations of the younger generation for a better world, in which human rights and fundamental freedoms are fully implemented, must be given the highest encouragement. It is imperative that youth participate in shaping the future of mankind; ...

VIENNA DECLARATION

Adopted by the World Conference on Human Rights at Vienna on 25 June 1993.

Paragraph 18

The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.

Gender-based violence and all forms of ... exploitation, including those resulting from cultural prejudice ..., are incompatible with the dignity and worth of the human person, and must be eliminated. This can be achieved by legal measures

access to quality services for the management of complications arising from abortion. Post-abortion counselling, education and family-planning services should be offered promptly, which will also help to avoid repeat abortions.

WOMEN'S RIGHTS DOCUMENTS

DECLARATION OF MEXICO ON THE EQUALITY OF WOMEN AND THEIR CONTRIBUTION TO DEVELOPMENT AND PEACE

Adopted by the World Conference of the International Women's Year, Mexico City, 1975.

11. It should be one of the principal aims of social education to teach respect for physical integrity and its rightful place in human life. The human body, whether that of woman or man, is inviolable and respect for it is a fundamental element of human dignity and freedom.

12. Every couple and every individual has the right to decide freely and responsibly whether or not to have children as well as to determine their number and spacing, and to have information, education and means to do so.

TRANSNATIONAL CORPORATIONS

DRAFT CODE OF CONDUCT RELATING TO TRANSNATIONAL CORPORATIONS (E/C.10/1992/9)

Not yet adopted by the General Assembly

....

37. Transnational corporations shall carry out their operations, in particular production and marketing, in accordance with national laws, regulations, administrative practices and policies concerning consumer protection of countries in which they operate. Transnational corporations shall also perform their activities with due regard to relevant international standards, so that they do not cause injury to the health or endanger the safety of consumers or bring about variations in the quality of products in each market which would have detrimental effects on consumers.

38. Transnational corporations shall, in respect of the products and services which they produce or market or propose to produce or market in any country, supply to the competent authorities of that country on request or on a regular basis, as specified by these authorities, all relevant information concerning:

Characteristics of these products or services which may be injurious to the health and safety of consumers including experimental uses and related aspects;

Prohibitions, restrictions, warnings and other public regulatory measures imposed in other countries on grounds of health and safety protection on these products or services.

39. Transnational corporations should disclose to the public in the countries in which they operate all appropriate information on the contents and, to the extent known, on possible hazardous effects of the products they produce or market in the countries concerned by means of proper labeling, informative and accurate advertising or other appropriate methods. Packaging of their products should be safe and the contents of the product should not be misinterpreted.

ORGANIZATION OF AFRICAN UNITY

AFRICAN (BANJUL) CHARTER ON HUMAN AND PEOPLES' RIGHTS

Adopted by the Organization of African Unity on 17 June 1981. Entered into force in October 1986.

Article 1

The Member States ... shall recognize the rights, duties and freedoms enshrined in this Charter and shall undertake to adopt legislative or other measures to give effect to them.

Article 2

Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

Article 5

Every individual shall have the right to the respect of the dignity inherent in a human being....

Article 9

1. Every individual shall have the right to receive information.

2. Every individual shall have the right to express and disseminate his opinions within the law.

Article 16

1. Every individual shall have the right to enjoy the best attainable state of physical and mental health.

2. States Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

2. to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;
3. to prevent as far as possible epidemic, endemic and other diseases.

**CONFERENCE ON SECURITY AND COOPERATION
IN EUROPE (CSCE)**

**DOCUMENT OF THE COPENHAGEN MEETING OF THE CONFERENCE OF
THE HUMAN DIMENSION**

(9) The participating States reaffirm that

(9.1) - everyone will have the right to freedom of expression including the right to communication. This right will include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. The exercise of this right may be subject only to such restrictions as are prescribed by law and are consistent with international standards. In particular, no limitation will be imposed on access to, and use of, means of reproducing documents of any kind, while respecting, however, rights relating to intellectual property, including copyright....

Appendix B

**States Parties to International and
Regional Treaties**

(as of December 1994)

ABBREVIATIONS:

- ACHR American Convention on Human Rights
- ACHPR African Charter on Human and Peoples' Rights
- ECHR European Convention on Human Rights
- Conv. EDAW Convention on the Elimination of All Forms of Discrimination Against Women
- ICCPR International Covenant on Civil and Political Rights
- ICESCR International Covenant on Economic, Social and Cultural Rights

COUNTRY	ICCPR	ICESCR	Conv. EDAW	ACHR	ACHPR	ECHR
Afghanistan	X	X	S			
Albania	X	X	X		X	
Algeria	X	X	X			
Andorra					X	
Angola	X	X	X			
Antigua & Barbuda			X	X		
Argentina	X	X	X			
Armenia	X	X	X			
Australia	X	X	X			X
Austria	X	X	X			
Azerbaijan	X	X				
Bahamas			X			
Bahrain			X			
Bangladesh	X	X	X			
Barbados	X	X	X	X		
Belarus	X	X	X			X
Belgium	X	X	X			
Belize			X			
Benin	X	X	X		X	
Bhutan			X	X		
Bolivia	X	X	S			
Bosnia-Herzegovina	X	X	X			
Botswana			X			X
Brazil	X	X	X	X		

Note: S = Signature not yet followed by ratification