

## **JOINT MINISTERIAL DECLARATION ON THE GUARANTEE OF SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS IN THE EUROPEAN UNION**

The European Union (EU) is committed to the promotion, protection and fulfillment of all human rights of women and girls and has, since the adoption of the Beijing Platform for Action (1995) and the Programme of Action of the International Conference on Population and Development (ICPD) (1994), been committed to their full and effective implementation, as well as to the outcomes of their review conferences and other core international human rights treaties and instruments<sup>1</sup> that, together, constitute the international standards on sexual and reproductive health and rights (SRHR) and women's rights.

SRHR are inherent part of the right to health but are also all women's and girls' human rights to make decisions about their own bodies and lives. The neglect of SRHR undermines gender equality.

Having this in mind, the EU has reaffirmed, in many occasions, its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence and to lead healthy lives and to participate in the economy and in social and political life. Also, the EU has further stressed the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education and health-care services<sup>2</sup>.

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<sup>1</sup> Inter alia, the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; CEDAW; the European Convention on Human Rights; 2030 Agenda for Sustainable Development

<sup>2</sup> New European Consensus on Development; Joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 25 November 2020 entitled 'EU Gender Action Plan (GAP) III: an ambitious agenda for gender equality and women's empowerment in EU external action' (JOIN(2020)0017); Commission communication of 5 March 2020 entitled 'A Union of Equality: Gender Equality Strategy 2020-2025' (COM(2020)0152), Council Conclusions about Gender in Development in 2015

Gender equality, the right to health and the mandate to take action at EU level are well established in the main regulatory instruments of the European Union<sup>3</sup> but the current backlash on women's rights, including their sexual and reproductive health and rights, across the EU and beyond, is threatening hard-won progress and existing laws.

***Therefore, we, the undersigned Ministers and Secretaries of State responsible for gender equality and/or sexual and reproductive health and rights policies,***

***Declare that:***

- Sexual and reproductive health and rights are crucial for all women's and girls' right to self-determination. Women and girls, in all their diversity, have the right to have full control over and decide freely and responsibly on all matters related to their sexuality and their sexual and reproductive health, free from discrimination, coercion, violence, so-called honour-related violence and other harmful practices.
- Sexual and reproductive health and rights are an inherent part of gender equality and of the right to health.
- Sexual and gender-based violence, on-line and off-line, violates human rights and affects sexual and reproductive health.
- The involvement of men and boys, as agents and beneficiaries of change and strategic allies for gender equality, is key to challenge and successfully combat social norms, gender stereotypes and restrictions of sexual and reproductive health and rights.
- Any threat of pushback against women's human rights and gender equality, and any initiative aimed at restricting SRHR, including attacks against women human rights defenders and SRHR defenders are strongly condemned.

***And call on the institutions of the European Union and Member States, according to their respective competences and taking into consideration national circumstances, to:***

- Ensure **universal access to sexual and reproductive health and rights**, including universal access to gender-transformative safe, available, quality, affordable, age-appropriate and inclusive comprehensive sexual and reproductive health information and health services, as well as to modern, quality, accessible, affordable and safe **contraceptive methods**, including

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<sup>3</sup> Articles 23 and 35 of the Charter of Fundamental Rights; Article 2 of the Treaty on European Union; Articles 5, 6 and 168 of the Treaty on the Functioning of the European Union.

emergency contraception, for all, including vulnerable women and girls and/or with disabilities; address all barriers impeding access to contraception, including financial and social barriers; and adopt specific measures to promote co-responsibility between women and men in this area as one of the strategic tools for achieving gender equality.

- Ensure universal access to scientifically accurate, evidence-based, **comprehensive sexuality education** for all persons, including **comprehensive education about menstruation** and its links to sexuality and fertility, in particular, by promoting its integration into educational pathways, and particularly into compulsory education.
- Ensure access to comprehensive, quality and affordable health services, in particular for **adolescents**, to enable them to make free and informed decisions about their sexuality and reproductive lives and to adequately protect themselves from unplanned pregnancies, all forms of sexual and gender-based violence and harmful practices, and sexually transmitted infections (STI), including HIV/AIDS.
- Ensure access to safe and legal **abortion** and to post abortion care by removing barriers that hinder its exercise. Also adopt specific measures to ensure women's and girl's rights to access health services, to guarantee the provision of these services by the public health system and within reasonable geographical reach and to guarantee that the due recognition of individual's conscience clause of medical staff does not hinder women's and girl's exercise of these rights.
- Ensure the **right of minors** to be heard and decide for themselves according to their age and maturity as manifestations of their best interest.
- Ensure that all persons of reproductive age have access to **fertility treatments** regardless of sex, ethnicity, religion or other belief, disability, sexual orientation, age, socioeconomic situation, marital status or other grounds.
- Ensure access without discrimination to high-quality, accessible, evidence-based and respectful maternity, pregnancy and birth-related care for all, guarantee the implementation of the principle of free and informed consent and strongly condemn any form of abuse, including gynaecological and **obstetric violence**.
- Guarantee sexual and reproductive health and rights in the **sphere of the labour market** and in labour relations by recognising specific labour rights linked to sexual and reproductive health and rights.
- Combat stereotypes, misinformation, lack of education and taboos linked to **menstruation** and ensure universal access to safe, fair and circular menstrual products for all.

Declaration of the undersigned Member States on the Guarantee of sexual and reproductive rights in the EU prepared in the context of the Zaragoza Conference organized by the Spanish Presidency of the Council of the European Union on 28 September 2023. The signature of this declaration is open to as many Member States that wish to join it. The list of Member States supporting it may be extended as time goes by.

