



Subject	Charter of sexual and reproductive rights
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Date	July 2005
Notes	This charter is one of EPHA's deliverables for the project "SEXual Patients Rights Charter" (SEX-PARC) in partnership with the International Centre of Health Protection (HERA) . The English version will be translated into Russian by HERA.

Introduction

Introducing the basic element of sexual and reproductive health rights is an essential element in the full prevention and care of sexually transmitted infections (STIs). Due, however, to the wide variety of factors involved in both social and individual development as well as the treatment of STI, a multidimensional approach is called for.

This approach cannot be separated from existing socio-economic structures, neither can it deny both the rights to self-determination in STIs care on the part of the healthcare user, nor the responsibilities arising from the communicable nature of STIs. An essential additional element in this multi-dimensional approach should be the recognition of the role prevention plays in reducing STIs.

The right to health has long been recognized in international treaties and conventions on human rights. "*Everyone has the right to a standard of living adequate for the health of himself and of his family, including food, clothing, housing and medical care and necessary social services,*" affirms article 25 (1) of the Universal Declaration of Human Rights (1948). The European Convention for the Protection of Human Rights and Fundamental Freedoms (1950) adopts a similar rights-based approach to health protection.

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Additionally, the proposed Treaty establishing a European Constitution would reinforce the EU mandate in healthcare as it states that *“the Union's aim is to promote peace (...) and the well-being of its peoples”* (art. I-3). It would also extend specific Community health competence (art. III-278).

Furthermore, the Charter of Fundamental Rights of the European Union's states that *“everyone has the right of access to preventive health care and the right to benefit from medical treatment (...). A high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities”* (art. 35).

Additional treaties and conventions more specifically protect young and children's rights. Article 24 of the United Nations Convention on the Rights of the Child (1989) safeguards children's and young people's health rights. In a more specific manner, the action programme of the 1994 International Conference on Population and Development backed the right of the adolescents to reproductive health care.

A positive approach to sexual health

Fully respecting sexual healthcare users' rights implies taking a positive approach to human sexuality. Given this perspective, the purpose of sexual health care should be the enhancement of life and personal relationships, not merely counselling and care related to procreation or sexuality transmitted diseases.

Mace, Bannerman & Burton (1974) identify three basic elements in their conception of sexual health. Accordingly, "sexual health is the integration of the somatic, emotional, intellectual, and social aspects of sexual being, in ways that are positively enriching and that enhance personality, communication, and love." Fundamental to this conception are the right to sexual information and the right to pleasure:

- “a capacity to enjoy and control sexual and reproductive behaviour in accordance with one's social and personal ethics,
- freedom from fear, shame, guilt, false beliefs, and other psychological factors inhibiting sexual response and impairing sexual relationship,

- freedom from organic disorders, diseases, and deficiencies that interfere with sexual and reproductive functions”.

Principles

In view of the above considerations, fully respecting users of sexual and reproductive healthcare facilities entails the following rights:

The right to considerate and respectful sexual care.

- All persons have the right to be treated with *dignity and respect* at all times, as well as to respect as a human being.
- All persons have the right to *self-determination* and to have their moral, cultural and other beliefs respected.
- There shall be *no discrimination* or stigma against persons on the basis of real or perceived STI status whether in or outside healthcare institutes.

The right to freely choose.

- All persons have the right to *informed and free choice*.
- All persons have the right to absolute control of their *sexual and reproductive choices*.
- All persons have the right to freely choose from among different treatment procedures, *services and providers*.

The right to information on sexual and reproductive health.

- All persons shall be informed of their sexual and reproductive health *rights*.
- Adequate information on all aspects of sexual and reproductive *health* shall be accessible in a fair manner.
- All persons have the right to seek and receive information related to sexual and reproductive care *services*.
- All persons have the right receive information necessary to give *informed consent* prior to the start of any treatment, test or procedure.

The right to confidentiality and privacy.

- All persons have the right to confidentiality as to all *personal and medical data* (state of health, potential diagnosis and therapeutic procedures) in health services.
- All persons have the right to the protection of their *privacy* during the performance of diagnostic examination, specialist visits and treatment.

The right to sexual and reproductive health services.

- All persons have the right to the highest attainable *standard of sexual health*.
- All persons have the right to equal *access* to sexual and reproductive health services irrespective of their financial, geographical, temporal and cultural specificities.
- All persons have the right to high *quality* sexual health services on the basis of the specification and observance of precise standards.
- All persons have the right to proper illness *prevention* and sexual and reproductive health *promotion* services.

The right to be involved in the healthcare.

- All persons have the right to be involved in any *decision-making* process affecting their sexual and reproductive lives.
- All persons have the right, and are encouraged, to collaborate with health providers to establish their *plan of care*.

The right to safety.

All persons have the right for their *body integrity* to be treated with respect.

Adult and young people have the right to *protect themselves* and be protected from unplanned pregnancies, STIs and from sexual violence.

All persons have the right to receive sexual and reproductive care in a healthy and safe *environment*.

The right to complain and opinion.

- Healthcare users have the right to *transmit* their complaints, concerns and receive an

adequate *response*.

The responsible exercise of human and sexual rights requires that all persons respect the rights of others.

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The EPHA Secretariat would like to warmly thank the International Planned Parenthood Federation (IPPF) European Network for their support throughout the research which led to this charter and for the excellent documentation they provided to us – especially the Charter on Sexual and Reproductive Rights and the Clients Right Charter.

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