

# HUMAN RIGHTS-BASED PROGRAMMING

# WHAT IT IS



## A HUMAN RIGHTS-BASED APPROACH TO PROGRAMMING

is a conceptual framework and methodological tool for ensuring that human rights principles are reflected in policies and national development frameworks. Human rights are the minimum standards that people require to live in freedom and dignity. They are based on the principles of universality, indivisibility, interdependence, equality and non-discrimination.

Through the systematic use of human rights-based programming, UNFPA seeks to empower people to exercise their rights, especially their reproductive rights, and to live free from gender-based violence. It does this by supporting programmes aimed at giving women, men and young people ('rights holders') the information, life skills and education they need to claim their rights.

It also contributes to capacity-building among public officials, teachers, health-care workers and others who have a responsibility to fulfil these rights ('duty bearers'). In addition, UNFPA strengthens civil society organizations, which often serve as intermediaries between governments and individuals, and promotes mechanisms by which duty bearers can be held accountable.

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## REDUCES GAPS IN EQUITY AND EQUALITY

Creating a truly equitable society is a long-term process. Nevertheless, through the collection and analysis of disaggregated data, UNFPA can identify groups that are consistently marginalized or excluded and target its interventions accordingly. By using evidence-based research and partnering with strategically placed individuals and groups, UNFPA can strengthen its advocacy efforts and encourage national authorities and civil society to engage in policy dialogue – with the ultimate goal of eliminating the most egregious forms of inequality.

**TIP:** *Emphasize the positive. Inform government officials of the gains that have already been achieved in the area of human rights. At the same time, tactfully point out the inequities that still exist. Stress the need to adopt policies that advance equal rights, rather than maintaining the status quo or even slipping backwards.*

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## RELIES ON BROAD PARTICIPATION

All people have the right to participate in decisions that affect their lives. A human rights-based approach invites diverse segments of the population to become involved in the programming process: from initial planning and design to implementation, monitoring and evaluation. The participatory requirement stems from the idea that people are not passive recipients of services or commodities, but actors in their own development process.

To ensure meaningful participation, consider seriously the views and opinions put forth. Take the time to listen and to understand the needs and aspirations of stakeholders. Inform them of their rights and entitlements (or, in the case of duty bearers, their obligations). Ask them what their expectations are and the solutions they envisage to the concerns they raise. Encourage them to ask questions about UNFPA's mandate and activities.

**TIP:** *Participation of disadvantaged groups should not be limited to filling out surveys or questionnaires. Make sure they are involved in actual decision-making and that their concerns are taken into account throughout the programming cycle. Initially this may require actively reaching out to groups that have long been disenfranchised.*

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## TARGETS MARGINALIZED OR EXCLUDED GROUPS

If UNFPA programmes are to reach those in greatest need, it is essential to know who these groups are, where they live, their sex, age, ethnicity, marital status, the composition of their families and communities, their reproductive health issues, the types of services they have access to, and the mechanisms, if any, that can help them to claim their rights.

Through data collection and analysis as well as qualitative studies, excluded groups can be identified and programmes developed to reach them. In many countries, for example, maternal mortality rates overall have decreased. But among indigenous and rural women, maternal mortality rates are much higher than those of non-indigenous and urban women.

Disaggregated data is not only a mechanism for identifying such inequalities and inequities. It is also a powerful tool for advocacy and empowerment.

**TIP:** *Get involved in data collection processes early on to make sure that the information being collected will help identify marginalized or excluded groups and their specific needs.*

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## EMPOWERS BOTH DUTY BEARERS AND RIGHTS HOLDERS

Duty bearers are those responsible for promoting, respecting and fulfilling human rights. According to international law, the main duty bearer is the State. But others, including health-care personnel, teachers and community leaders, also play a key role. For example, parents, teachers and the Ministry of Education all have a duty to ensure that adolescents have access to information on reproductive and sexual health. Their duties and obligations are in some instances positive (to provide information or prevent discrimination, for example) and, in others, negative (to refrain from doing something, such as interfering in private decisions).

Through human rights-based programming, UNFPA makes duty bearers aware of their responsibilities in the areas of reproductive rights and women's equality, and gives them the skills and tools to fulfil them.

Rights holders are those entitled to claim their rights. Through human rights-based programming, even those living in absolute poverty, for example, will have greater access to reproductive health services that are accessible, acceptable and of good quality.

**TIP:** *When designing projects involving reproductive health services, be sure to consider awareness-raising as one component. Clients need to understand that they not only have a right to such services, but to quality services that are culturally acceptable to them. Providers need to understand their obligations in this regard as well.*

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# ADDRESSES THE ROOT CAUSES OF HUMAN RIGHTS VIOLATIONS

Understanding why a problem occurs is the first step in addressing it. For instance, the fact that refugee women cannot access certain services can be caused by longstanding discrimination against foreigners living in poverty – a deeply rooted structural cause. Or, it could also be the result of a lack of specific, culturally sensitive policies or budget allocations for these services – which could be considered underlying causes that can be more easily remedied.

Confronting the causes of human rights violations will eventually transform the attitudes and policies that enable such violations to persist. Moreover, activities will be comprehensive and programme-oriented, rather than sector-specific, and results will be more sustainable.

**TIP:** *Discerning the causes of human rights violations requires understanding a culture – and the perceptions of local people. It also requires a holistic approach: In most cases, human rights violations result from a combination of factors, ranging from deeply rooted cultural and socio-logical issues to more easily fixed legal or even administrative problems.*

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## IS CONCERNED WITH BUDGET ALLOCATIONS AND PUBLIC ACCOUNTABILITY

A sure indicator of a government's priorities is how it spends its money. What portion of its budget is allocated for reproductive health services and oversight? What is the share devoted to preventing gender-based violence and providing care to survivors? How are these funds divided between central and local levels?

One aspect of human rights-based programming is assessing the resources devoted to protecting reproductive and other rights. Citizens have the right to know how the government is planning to spend their money and a record of the expenditures that do occur. Similarly, the State has a duty to be transparent in its actions.

One also needs to understand the capacity of government. An important part of UNFPA's work is strengthening national and local government institutions so that they are better equipped to design and implement policies that are responsive to the rights of the people.

**TIP:** *Use budgetary allocations to hold governments up to their promises. UNFPA should work with other allies, including the UN Country Team, to analyse how public money is being spent. Supporting citizens' initiatives to monitor the use of public funds can be critical in promoting their participation and public accountability.*

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## PROMOTES GENDER EQUALITY

Discrimination against women and girls is a form of gender inequality that can lead to other violations of human rights, including gender-based violence, economic disenfranchisement, and the lack of appropriate and affordable reproductive health services.

Advancing the situation of women is a primary objective of a human rights-based approach to programming. In practice, it means identifying gaps in gender equality, developing strategies to close those gaps, putting resources into gender equality, monitoring implementation, and holding individuals and institutions accountable for the results.

**TIP:** *The concept of gender equality should be introduced at an early age, when individuals are still in the formative stages of their development. Ensuring that human rights issues are part of school curricula, for example, can lay the groundwork for a more equitable society and promote equal treatment of girls and boys.*

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## IS CULTURALLY SENSITIVE

Respect for human rights is not something that can be imposed from the outside. It is part of a value system that must be nurtured and cultivated from within a society. Understanding the culture in which you are working can provide clues for ways in which international human rights standards can be promoted locally. Demonstrating respect for the people with whom you are working – even if their beliefs and values are different from your own – is the first step in engendering a respect for universal human rights.

To ensure that programmes are ‘owned’ by the community and reach the most marginalized groups, human rights programming should be grounded in an analysis of the local culture.

**TIP:** *Involving local power structures, including faith-based organizations, in all stages of programming can provide entry points for dialogue on human rights. Such dialogue should encourage people to think critically about what they are doing and why. In many cases, once the harmful effects of certain attitudes or practices are widely understood, they will change – especially if such changes are endorsed by local leaders.*

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## CONTRIBUTES TO A CLIMATE CONDUCTIVE TO HUMAN RIGHTS

An enabling environment is one that encourages the participation and empowerment of individuals, families, communities and organized groups to demand and exercise their rights.

Creating such an environment can involve setting up or reinforcing local mechanisms for participation, promoting legal reform and implementation, and strengthening law enforcement agencies and national human rights institutions.

Depending on the situation, UNFPA assistance might be most effectively directed to supporting initiatives to incorporate gender issues into policy analysis or to reviewing laws that discriminate against women. In addition, it may want to encourage law enforcement agencies to embrace the prevention of gender-based violence and protection of survivors as part of their daily activities and provide the necessary training; to work with ombudspersons or national human rights commissions to focus on reproductive rights; or to build the capacity of communities to claim their rights through life-skills training and awareness-raising.

As always, partnership is key. UNFPA's efforts can be enhanced by joining forces with ministries of education or institutions that promote women's rights, for example, or by teaming up with the private sector. The goal: to design and implement programmes to ensure that all women, young people and men receive the education and information they need to exercise their rights.

**TIP:** *Individuals, especially women, tend to weigh the social costs of demanding their rights versus maintaining the status quo. But they will exercise their rights if they know there is a support system that will protect them from negative reaction in a community. This support system should include those who wield power and authority, including religious, community and traditional leaders.*

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## KEEPS ABREAST OF INTERNATIONAL STANDARDS

Countries that have ratified international and regional human rights treaties and conventions are legally bound to put their provisions into practice. Familiarity with such treaties and conventions, especially the Convention on the Elimination of All Forms of Discrimination against Women and the Covenant on Economic, Social and Cultural Rights, can be crucial for effective policy dialogue. It is also important for advancing the International Conference on Population and Development (ICPD) agenda.

UNFPA staff should also keep up to date on the recommendations of treaty committees, such as the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights, and on extra-treaty mechanisms. These provide guidelines on how to interpret international instruments and apply them at the national level. Such mechanisms include the UN Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health and the UN Special Rapporteur on Violence against Women, its Causes and Consequences.

**TIP:** *If a State has not ratified a human rights treaty or instrument that is relevant to UNFPA's mandate, advocate for its ratification. To do so, seek support from multiple partners, including bilateral and multilateral aid agencies, the media, civil society groups, human rights activists and professional associations. The UNFPA Representative or Country Director should invite UN Country Team members to join such efforts.*

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## ENSURES SUSTAINABILITY

To ensure that progress made in reproductive rights and gender equality is sustained, processes must be locally owned and achievements obtained at one level should be reflected at other levels of society. That is, programmes should have an impact at the national, local and community levels. UNFPA should encourage the private sector, along with civil society and community-based groups, to work in close cooperation with public institutions towards common goals.

Once pilot projects have proved successful, lobby the government as well as bilateral donors and other UN agencies to take these efforts to scale.

**TIP:** *As people become empowered, they will serve as models for others and resist infringements of their rights. In this way, human rights principles will become internalized by a critical mass of society – and sustained.*

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*Editor:* Lois Jensen

*Design:* Real Design [www.rdany.com](http://www.rdany.com)



United Nations Population Fund  
220 East 42nd Street  
New York, NY 10017  
[www.unfpa.org](http://www.unfpa.org)

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# HOW TO DO IT



The following checklist is intended to guide programmers in implementing a human rights-based approach. Since every country is different, the checklist should be adapted to local realities by adding to or subtracting from it, as appropriate.

Using the checklist will provide useful insights into the UNFPA programme as well as national and other development assistance efforts. The UNFPA Country Office should make certain that coordinated exercises within the UN family, including the Common Country Assessment, the UN Development Assistance Framework, poverty reduction strategies, sector-wide approaches, and strategies to achieve the Millennium Development Goals take into account UNFPA concerns and reflect the agenda of the International Conference on Population and Development (ICPD).

The purpose of the checklist is to:

- Assist field staff in conducting reviews of their country programme from a human rights perspective and, if needed, rethinking their activities
- Encourage the design of new country programmes with human rights as a cross-cutting theme
- Provide guidelines to ensure that projects, processes and activities incorporate human rights standards and principles
- Strengthen the political will and commitment directed to integrating human rights into national development strategies
- Ensure that UNFPA staff are giving due consideration to the rights of marginalized or excluded groups.

# ASSESSING THE HUMAN RIGHTS SITUATION IN A PARTICULAR COUNTRY

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- 1 **What are the country's main human rights concerns in the areas of population and development, reproductive health and gender equality?** The use of data disaggregated by sex, age, ethnicity, and urban or rural residence will help identify major human rights issues and map patterns of exclusion. For example, finding out that a disproportionate share of pregnancies occur among adolescents of a certain ethnic minority living in a particular area can indicate a lack of access to information, education and services.
- 2 **What are the underlying and structural causes for the human rights concerns identified above? What is the State doing to address them?**
- 3 **What are the cultural factors that facilitate or constrain reproductive rights and gender equality?** Identifying these factors can help you identify opportunities and obstacles. For example, the importance that all cultures give to the family unit can be the basis for the promotion of responsible fatherhood. On the other hand, tension between the rights of adolescents and the rights of parents has been recognized as a cultural factor that works against the establishment of public policies on sexuality education, since it is widely perceived as a matter belonging to the private sphere.
- 4 **Is there universal access to reproductive health care in the country?** That is, do all people – including minorities, the poorest of the poor, those living in rural areas, young people and unmarried adolescents – have equal access to high-quality reproductive health information and services? Are they treated without discrimination?
- 5 **Which human rights instruments have not been ratified by the country?** A list of such instruments and the ratification status of various countries can be found at <http://www.ohchr.org/english/bodies/index.htm>
- 6 **Are international human rights standards (and ratified agreements) reflected in the legal framework, including the constitution?** If so, how? If not, what steps are being taken to integrate them?
- 7 **Do current laws or policies result in discrimination or inequality?** For instance, in many countries the legal age of marriage is lower for girls than for boys, which denotes gender discrimination. This can also lead to early marriage and pregnancy, and deny young women their basic rights, including the right to education, health and to becoming an active member of the community.

**8 Is the country reporting to the Committee on the Elimination of Discrimination against Women or other human rights bodies?** National reports to such committees provide a good opportunity to assess implementation of a State's obligations under various human rights instruments. Find out a country's reporting schedule to the Committee on the Elimination of Discrimination against Women by consulting the following website: [www.un.org/womenwatch/daw/cedaw/](http://www.un.org/womenwatch/daw/cedaw/)

For the reporting schedule of other treaty bodies, see: [www.ohchr.org/english/bodies/index.htm](http://www.ohchr.org/english/bodies/index.htm)

The concluding observations and recommendations of these committees and mechanisms should be publicized widely and followed up by the State within established time-frames. Once they are reflected in the legal framework, laws and policies that flow from them should be adopted accordingly.

**9 Do community and civil society organizations participate in decision-making? Do they effectively monitor the performance of government entities?** From a human rights perspective, meaningful participation in the development process is essential because it encourages transparent decision-making and local ownership and control. For instance, hospitals and health-clinic management boards should be obliged to invite community

representatives, including women, to participate in decisions concerning the provision of services.

**10 Are national human rights institutions – such as ombudspersons or human rights commissions – in place?** If so, are they functional and do they include reproductive health and rights and women's rights as part of their mandate? In general, such institutions are national, but independent and autonomous. Typically they are responsible for receiving complaints of human rights violations and making recommendations for redress or setting up conciliatory processes.

**11 What are the main problems associated with accountability mechanisms?** Accountability mechanisms – which include the formal justice system, informal mechanisms such as traditional and indigenous councils, conflict-resolution mechanisms, ombudspersons and national human rights commissions – are essential to protecting human rights. Such mechanisms can provide recourse to individuals or communities when a violation of their human rights has occurred. For instance, a victim of gender-based violence should be entitled to lodge a complaint and receive protection from the police. She should also receive appropriate legal, medical and psychosocial assistance. The judiciary should order a thorough and impartial investigation

to identify the responsible party or parties, bring them to trial and apply an appropriate punishment, as necessary. If there are lapses in either protection or assistance, the victim should be able to file a complaint before the judiciary, the ombudsperson or the national human rights commission.

- 12 **Are people entitled to initiate proceedings (such as filing a complaint) for the redress of human rights violations before a competent court or other adjudicator, in accordance with the rules and procedures provided by the law?** For example, if a woman is discriminated against, or is denied appropriate, accessible and affordable pre- and post-natal care, is there a course of action she can pursue?
- 13 **How prevalent is gender-based violence in the country?** Are there legal measures in place to prevent such violence and to punish those responsible? If so, is legislation being enforced? The forms and extent of gender-based violence vary across cultures, countries and regions. Examples include domestic and sexual violence (including sexual exploitation or abuse and forced prostitution), trafficking, early marriage, forced sterilization, dowry deaths, dietary restrictions for pregnant women, preference for male children or one-child policies. The Committee on the Elimination of Discrimination against Women recommends that State parties should take appropriate and

effective measures to overcome all forms of gender-based violence, whether by public or private act, to ensure that laws against gender-based violence give adequate protection to all women and respect their integrity and dignity.

- 14 **Are shelter, legal assistance, medical care and psychosocial support available to women and girl survivors of sexual violence?** The Committee on the Elimination of Discrimination against Women recommends that appropriate protective and support services be provided by the State.
- 15 **Are there specialized law enforcement units or trained female police officers to protect women and girls who are victims of violence?** Specialized units or trained officers will generally be more effective in responding to and protecting women and girl victims of violence.
- 16 **Are measures in place to prevent and respond to sexual exploitation of local populations (including refugees) by United Nations peacekeepers and UN and other humanitarian agency personnel?** Such measures could include adoption of codes of conduct, training and awareness-raising, monitoring, investigations and disciplinary action. It is important that peacekeepers and other international personnel uphold the highest standards of personal and professional conduct at all times.

# **ANALYSING THE HUMAN RIGHTS DIMENSIONS OF UNFPA SUPPORT**

## ANALYSING THE HUMAN RIGHTS DIMENSIONS OF UNFPA SUPPORT

- 17 What ICPD goals and objectives are the most difficult to accomplish in your country? What are you doing to overcome these obstacles?
- 18 How is UNFPA helping to ensure universal access to reproductive health services and information for marginalized or excluded groups?
- 19 Is UNFPA using culturally sensitive approaches to promote the ICPD agenda and universal human rights? The objective is to encourage communities to adopt the goals and values associated with them as their own.
- 20 Is the UNFPA Country Programme inclusive? That is, were the design, implementation, monitoring and evaluation processes (including field visits, evaluation meetings and the annual review) consultative? Did they involve human rights NGOs, including women's groups, community-based or civil society organizations (such as medical or school associations), and national human rights institutions?
- 21 How is UNFPA helping to address the structural, underlying and more immediate causes of reproductive rights violations, gender discrimination, inequality and gender-based violence?
- 22 How is UNFPA contributing to the review and amendment of laws and practices that do not conform to the constitution and international human rights treaties to which the country is a State party, particularly as they pertain to UNFPA's mandate?
- 23 Is UNFPA supporting initiatives for legal reform? That is, is it helping to bring national legislation in compliance with international or regional instruments for women's rights? Typically such legislation will involve the family code, civil code and criminal code. Is UNFPA helping to ensure that such laws are enforced?
- 24 How is UNFPA working to support laws and policies that foster:
  - the right to universal access to reproductive health information and services?
  - the views of youth in social policies and legal proceedings that directly affect them?
  - mechanisms to prevent violence against women and girls and to provide protection to survivors of such violence?
  - punitive measures for the perpetrators of gender-based violence, including domestic violence?

- HIV prevention and protection of the rights of people living with HIV, including freedom from stigma and discrimination?
- 25 Is UNFPA advocating the ratification of international human rights instruments dealing with women's rights<sup>1</sup> or the withdrawal of reservations<sup>2</sup> to the Convention on the Elimination of All Forms of Violence against Women (CEDAW)?
  - 26 Is UNFPA providing technical assistance for the preparation of State reports to treaty monitoring bodies, such as the Committee on the Elimination of Discrimination against Women? Is UNFPA supporting initiatives to implement treaty body and UN Rapporteurs' recommendations that are relevant to its mandate?<sup>3</sup> Is it helping disseminate information about these recommendations?
  - 27 Is UNFPA supporting the inclusion of reproductive rights and the prevention of gender-based violence in the judiciary and in the work plans of the police, the national human rights institution and local NGOs?
  - 28 Is UNFPA encouraging the participation of human rights organizations in national and local policy-making and in decisions about budget allocations and expenditures? What is UNFPA doing to encourage governments to allocate resources for reproductive rights?
  - 29 Is UNFPA involved in training for UN peacekeepers and humanitarian agency personnel to prevent sexual exploitation and abuse of the local population?
  - 30 Is UNFPA carrying out (or supporting) the training of national law enforcement officers on women's rights and protection from gender-based violence?
  - 31 Is UNFPA carrying out (or supporting) advocacy and awareness-raising campaigns on women's rights and reproductive rights, especially among policy makers, caregivers and first-line responders?
  - 32 Is UNFPA supporting the creation and strengthening of networks that provide legal assistance, medical care and psychosocial support to women and girl survivors of abuse, violence and neglect?

33 Is UNFPA supporting the sensitization of health-care personnel on human rights issues? Through such efforts, health-care personnel can become more sensitive to signs of sexual violence or other abuse and the rights of patients to dignity and confidentiality.

# DETERMINING THE CAPACITY OF STAKEHOLDERS

## DETERMINING THE CAPACITY OF STAKEHOLDERS <sup>4</sup>

- 34 Who are the main duty bearers accountable for human rights related to reproductive health and gender equality?
- 35 Is there a need to strengthen the capacity of duty bearers to meet their obligations? That is, do they need greater authority to carry out their obligations, or additional human, technical or financial resources?
- 36 Who are the main rights holders? Particular attention should be given to excluded or marginalized groups. What are the main concerns of rights holders in areas relevant to UNFPA's mandate?
- 37 Do rights holders have the capacity to claim their rights? That is, do they have access to relevant information and the appropriate authorities? Can they obtain reparation and redress through available mechanisms, such as judicial procedures?
- 38 What initiatives are under way through UNFPA or other in-country actors to build the capacity of duty bearers to meet their obligations? What initiatives are under way to enable rights holders to claim their rights?

**INCLUDING  
MARGINALIZED  
GROUPS**

## **INCLUDING MARGINALIZED GROUPS**

- 39 Which segments of the population are the most marginalized or excluded?
- 40 How does the UNFPA Country Programme address exclusion and marginalization?
- 41 Is national data collection disaggregated by sex, race, age, ethnicity, marital status, socio-economic status, and urban/rural residence so that marginalized or excluded groups can be identified and their situation assessed?
- 42 Does the UNFPA Country Programme reflect the country's diversity? That is, do its programmes take into account the needs of minorities, indigenous people, persons with disabilities, refugees and the internally displaced, and aging populations?
- 43 How does UNFPA promote the participation of marginalized and excluded populations in the design, implementation, monitoring and evaluation of its Country Programme?

# ASSESSING PROJECT OUTCOMES

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- 44 Have UNFPA interventions to strengthen the capacity of duty bearers been effective in advancing women's rights and reproductive rights, among other areas?
- 45 Have strategies to build the capacity of rights holders to claim their rights been effective?
- 46 Has the UNFPA Country Programme been successful in advocating for special provisions and outreach to ensure that all women, including adolescents, minorities and the poor, have access to sexual and reproductive health care? This includes all aspects of maternal health, including antenatal and post-natal care.
- 47 What strategy is UNFPA implementing to eliminate barriers to reproductive health services for those most marginalized or excluded?

# **INTEGRATING UNFPA CONCERNS INTO BROADER PROGRAMMES**

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- 48 To what extent is the ICPD human rights agenda integrated into the programming priorities of the UN Country Team and national development frameworks? A portion of UNFPA's advocacy work should involve efforts to integrate this agenda into the programmes of sister agencies and into national development frameworks.
- 49 Do the situational analyses for national development frameworks include information on reproductive rights, gender equality and women's rights? Is further information needed (in disaggregated form) to help identify where reproductive and women's rights as well as gender equality fall short?
- 50 Has the development of needs assessments and national development processes been consultative? That is, did they involve civil society and community-based organizations, the private sector and other stakeholders?
- 51 What are the strategies and programmes to support the eradication of extreme poverty and hunger,<sup>5</sup> promote gender equality and empower women,<sup>6</sup> improve maternal health,<sup>7</sup> and combat the spread of HIV?<sup>8</sup>
- 52 How is UNFPA (with other partners) supporting national development planning and the design and implementation of policies, including budget allocation, to ensure universal access to reproductive health care by 2015?
- 53 How is UNFPA (with other partners) ensuring that these development strategies will include policies and legislation that effectively promote and guarantee the equal rights of women and men by 2015?
- 54 How does UNFPA support national development processes to ensure that resources and services for reproductive health, especially among those discriminated against or excluded, are available, accessible, culturally acceptable and of good quality? How is UNFPA ensuring that the rights of women and youth are being upheld?

## NOTES

- <sup>1</sup> Such as the *Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women*.
- <sup>2</sup> A reservation to a treaty is a “unilateral statement, however phrased or named, made by a State, when signing, ratifying, accepting, approving or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State,” according to Article 2 of the *Vienna Convention on the Law of Treaties*.
- <sup>3</sup> This includes recommendations of the *Committee on the Elimination of Discrimination against Women*, the *Committee on Economic, Social and Cultural Rights*, the *Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health*, the *Special Rapporteur on Violence against Women*, the *Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People (where applicable)*, and the *Special Rapporteur on Trafficking in Persons, Especially in Women and Children (where applicable)*.

- <sup>4</sup> Stakeholders include both duty bearers and claim holders:

TO FULFIL THEIR OBLIGATIONS, DUTY BEARERS NEED:
Designated responsibility and authority to perform their functions
Data to plan and monitor the realization of rights
Resources at their disposal or the capacity to secure the necessary resources from higher authorities

  

TO EXERCISE THEIR RIGHTS, CLAIM HOLDERS NEED THE CAPACITY TO:
Access information
Organize
Advocate for policy change
Obtain redress

- 5 As measured by the following Millennium Development Goal (MDG) indicators: proportion of the population living on less than \$1 a day; poverty gap ratio; share of poorest quintile in national consumption.
- 6 MDG indicators: ratios of girls to boys in primary, secondary and tertiary education; ratio of literate women to men in the 15-24 year age group; share of women in wage employment in the non-agricultural sector; proportion of seats held by women in national parliaments.
- 7 MDG indicators: maternal mortality ratio and proportion of births attended by skilled health personnel. The following indicators are under consideration by the inter-agency expert group on MDG indicators: contraceptive prevalence rate (which would move from Goal 6: Combat HIV/AIDS, malaria and other diseases); unmet need for family planning; adolescent fertility and antenatal care.
- 8 MDG indicators: HIV prevalence among pregnant women aged 15-24 years; condom use rate of the contraceptive prevalence rate; condom use at last high-risk sex act; percentage of population aged 15-24 years with a comprehensive and correct knowledge of HIV/AIDS; contraceptive prevalence rate; ratio of school attendance of orphans to school attendance of non-orphans aged 10-14 years.

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*Editor:* Lois Jensen

*Design:* Real Design [www.rdany.com](http://www.rdany.com)



United Nations Population Fund  
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New York, NY 10017  
[www.unfpa.org](http://www.unfpa.org)