

SEXUAL VIOLENCE AND UNWANTED PREGNANCY

Protecting the human rights of adolescent girls and young women



“Victims of sexual assault require comprehensive, gender-sensitive health services ... including pregnancy testing, pregnancy prevention (i.e. emergency contraception), abortion services (where legal), STI testing and/or prophylaxis, treatment of injuries and psychosocial counseling.” *World Health Organization*

CHALLENGES:

Sexual violence is a violation of girls’ and young women’s human rights and has a significant impact on their sexual and reproductive health. Girls and young women experience higher rates of sexual violence than adult women, contributing to their higher risk of unwanted pregnancy and unsafe abortion.

Unwanted pregnancies resulting from sexual violence can lead to unsafe abortions and avoidable maternal deaths when access to safe abortion is denied and criminalized. Criminal laws on abortion that restrict access to safe abortion care in cases of sexual violence must be amended, as recommended by the UN Special Rapporteur on the right to health and United Nations human rights treaty monitoring bodies.

Unsafe abortion affects girls and young women disproportionately, as they face more barriers than adult women when trying to access contraception, sexual and reproductive health information, and safe abortion care. Barriers include lack of social and family support, stigma about abortion and youth sexuality, and restrictive policies that do not recognize young people’s capacity to make informed decisions about sexuality and reproduction.

A lack of comprehensive policies to address girls’ and young women’s sexual and reproductive health needs exists in many countries, placing youth at higher risk of HIV or other sexually transmitted infections, sexual violence, early and unwanted pregnancy, and unsafe abortion.

GIRLS AND YOUNG WOMEN NEED:

Contraception, sexual and reproductive health information, autonomy and informed consent in health decisionmaking, legal and safe abortion services

- Pregnancy and childbirth-related complications are the leading cause of death for women ages 15-19 in many countries, with girls being twice as likely to die from childbirth as women in their 20s.¹
- Adolescent girls (ages 10-19) in developing countries undergo 2.2 to 4 million unsafe abortions each year.²
- 95 percent of abortions in Latin America are clandestine, unsafe procedures due to the region’s highly restrictive abortion laws.³

International conventions and human rights bodies establish the obligation of states to protect girls and young women from sexual abuse and violence and early and unwanted pregnancy—and to ensure they have access to sexual and reproductive health information and services according to their health needs and evolving capacities.

The concept of evolving capacities recognizes that adolescents often have sufficient understanding to make decisions about their lives, including their health care, just as adults do. Consequently, states are urged to limit parental consent requirements in order to protect young people’s right to reproductive self-determination.

International human rights treaties and documents that support girls’ and young women’s right to comprehensive sexual and reproductive health include:

- The Convention on the Elimination of all Forms of Discrimination against Women (*CEDAW*)
- The Convention on the Rights of the Child (*CRC*)
- The Program of Action from the International Conference on Population and Development
- The Beijing Declaration and Platform for Action

The World Health Organization defines **sexual violence** as “any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting including but not limited to home and work.”



NICARAGUA'S ABORTION BAN HURTS SEXUAL VIOLENCE SURVIVORS

Between 2009 and 2011, 84 percent of all the rape cases handled by Nicaragua's Institute for Legal Medicine were girls younger than 17. Girls younger than 13 were almost half of the total case load.

Ipas and other civil society organizations are working in Nicaragua to urge the government to curb violence against girls and young women and to repeal the country's total abortion ban, which forces victims to carry unwanted pregnancies to term or resort to unsafe, clandestine abortions.

"Abortion laws and services should protect the health and human rights of all women, including adolescents." World Health Organization

Protection from sexual violence

- Almost 50 percent of all sexual assaults around the world are against girls ages 15 and younger.⁴
- Many women in developing countries report their first sexual experience as forced—17 percent in rural Tanzania, 24 percent in rural Peru, and 30 percent in rural Bangladesh.⁵
- Only 24 percent of sexual violence cases reported to Nicaragua's police reach the courts, and only 3.6 percent of assailants are punished for their crimes.⁶

In 2012, the Rapporteur for Women's Rights of the Inter-American Commission on Human Rights, Tracy Robinson, visited Nicaragua—a country with a total abortion ban. She declared: "Impunity for violence against women is a chronic problem in this country and the rest of the Americas ... Action to repeal the articles of the Penal Code that criminalize abortion in all circumstances would be a momentous advance towards respecting and recognizing the dignity and human rights of women and girls."

IPAS URGES GOVERNMENTS AND POLICYMAKERS TO:

- Enact legislation recognizing adolescent girl's autonomy to make decisions in accordance with their evolving capacities in matters related to sexuality and reproduction.
- Implement policies that provide girls and young women with access to comprehensive sexual and reproductive health education, services and information—including contraceptive counseling, a wide range of contraceptive methods, emergency contraception, safe abortion,

obstetric care and counseling, and prevention of violence and sexual violence.

- Decriminalize abortion and make safe abortion services legal and accessible to survivors of sexual violence—including girls and young women. Laws requiring proof of police certification, police reporting or legal action for rape cases before a girl or young woman can obtain access to safe and legal abortion must be repealed.
- Fully implement existing abortion laws that grant the right to abortion. While most countries have some legal indications for abortion, many fail to make safe services available, including for girls and young women who experience rape or incest.
- Adopt policy measures to help young people deal with the consequences of violence without requiring spousal or parental consent and with full respect for their privacy.
- Conduct educational campaigns to foster positive and supportive public attitudes toward youth seeking sexual and reproductive health services.

1. Rowbottom, Sara. (2007). *Giving girls today and tomorrow: Breaking the cycle of adolescent pregnancy*. New York: UNFPA.
2. World Health Organization (WHO). (2004). *Unsafe abortion: Global and regional estimates of the incidence of unsafe abortion and associated mortality in 2000, 4th edition*. Geneva: WHO.
3. Guttmacher Institute. (2012). *Facts on abortion in Latin America and the Caribbean*. New York: Guttmacher Institute.
4. UNFPA. (2005). *State of world population 2005*. Adolescents fact sheet. New York: UNFPA.
5. World Health Organization (WHO). (2012). *Intimate partner and sexual violence against women*. Fact sheet 239. Geneva: WHO.
6. Ipas Centroamerica. et al. *Violencia sexual en Nicaragua: Informe para la Comisión Interamericana de Derechos Humanos (Sexual Violence in Nicaragua: Report for the Inter-American Commission on Human Rights)*. Submitted: October 24, 2011. Washington, D.C.



P.O. Box 9990 • Chapel Hill, NC 27515 USA
1.919.967.7052 • info@ipas.org • www.ipas.org

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