



Resolution

Seminar-Workshop

“The Promotion and Protection of Reproductive Rights through the Work of the National Human Rights Institutions for Latin America, the Caribbean and Canada”.

Representatives of the Ombudsman Offices of Latin America, the Caribbean and Canada, met in the city of San Jose, Costa Rica on May 14-16 2002, on the occasion of the Seminar-Workshop on “The Promotion and Protection of Reproductive Rights through the Work of National Human Rights Institutions”, convened by the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Population Fund (UNFPA) and the Inter-American Institute of Human Rights (IIHR).

I. Objectives of the Seminar-Workshop

- Analyze the work carried out by the National Human Rights Institutions (NIs), as well as other organizations, to promote reproductive rights.
- Examine the existing structures or mechanisms in order to identify the opportunities and the obstacles faced by women in the exercise of their reproductive rights.
- Analyze ways in which NIs can contribute to the development of an agenda for the promotion and protection of reproductive rights.
- Provide inputs to discuss and exchange experiences on the work undertaken by NIs in the sphere of reproductive rights.
- Discuss and define concrete proposals to advance in the promotion and protection of women’s reproductive rights.

II. Background to the support of the Ombudsman Offices for women’s human rights

- At the Second Congress of the Ibero-American Ombudsman Federation (FIO) held in Toledo, Spain (1997), the member organizations agreed to establish, within their respective institutions, a department or section to deal specifically with women’s rights.
- At the Congresses held in Lima, Peru (1997), Oporto, Portugal (1998), Tegucigalpa, Honduras (1999) and Mexico (2000), the Ombudsmen reiterated their commitment to the principles of equality and non-discrimination among human beings and agreed to



promote, in their respective countries, the necessary measures to eradicate the culture of discrimination towards women.

- During the Congress in San Juan, Puerto Rico (2001), the Ombudsmen reaffirmed their previous commitments and declared that continued and persistent forms of violation and restriction of women's rights, requires the creation or strengthening of institutional mechanisms (in cases where these exist) to contribute to the eradication of all forms of discrimination and violence against women. They also urged the governments of the Iberian peninsula and Latin America to ratify the Optional Protocol of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), recommending, in addition, that all Congresses of the FIO discuss these issues, incorporating a gender perspective.

III. General considerations concerning the promotion and protection of sexual and reproductive rights

1. Universal human rights include sexual and reproductive rights.
2. The violation of people's reproductive rights restricts, interferes with and infringes upon their enjoyment of other rights, such as: the right to life, liberty, security and personal integrity; the right to decide the number and spacing of their children; the right to privacy, health, employment and social security; the right to education, development, equality and non-discrimination; the right to raise a family, to have access to appropriate, accurate and timely information, to legal protection and due process; and the right to a life without violence.
3. Given their universal, integral, indivisible and interdependent character, the promotion and protection of human rights –including sexual and reproductive rights–, should be considered in the context of the search for human development.
4. The application and effective exercise of sexual and reproductive rights is of benefit both to women and men, although women are the ones who suffer the most serious consequences of the non-observance of these rights in their daily lives.

IV. Results of the session

The proposed objectives were accomplished satisfactorily and a valuable exchange of experiences took place. The Seminar-Workshop yielded a number of general recommendations for action, which were agreed during the plenary session and based on the consensus of the working groups.



In addition, representatives of NIs held a meeting within the context of the *Network of Women's Rights Offices* within these institutions, in order to inform, coordinate actions and expand their membership.

V. General recommendations for action

Follow up on the recommendations formulated during this Seminar-Workshop, which are structured for actions in the national spheres and at the regional level, as follows:

At the national level

1. Strengthen the mechanisms of the NIs to monitor, as far as their institutional capacities allow, the States' compliance with their commitments to promote and protect reproductive rights.
2. Follow up on the States' implementation, at the national level, of their obligations with respect to the international human rights instruments, particularly in the area of reproductive rights, including the recommendations of the human rights committees or commissions and of the organs of protection of the Universal and Inter-American systems.
3. Monitor the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and promote the ratification of its Optional Protocol.
4. Promote the incorporation of a gender perspective into institutional actions.
5. Create or consolidate a specific section or department to deal with women's human rights in NIs.
6. Incorporate sexual and reproductive rights into the work strategies of the NIs.
7. Develop working relations and strategic alliances on issues related to sexual and reproductive rights among the NIs, public bodies, the legislative and judicial branches, local governments, civil society organizations, non-governmental organizations (NGOs) that work specifically in that field, academic institutions and international cooperation agencies.



8. Seek closer ties, cooperation and technical assistance from international organizations and cooperation agencies (such as UNFPA and others), to support national action for the promotion and protection of reproductive rights, adopting a process-oriented approach.
9. Design and implement an information strategy that includes the production of educational and specialized materials on topics such as sexual and reproductive rights; international instruments, national legislation and jurisprudence on this subject; public policy and existing services.
10. Promote the gathering of statistics and research on specific topics related to reproductive rights; public policies on reproductive rights and mechanisms for their implementation, including budget assignment; indicators for monitoring and evaluation.
11. Design and implement a strategy to generate awareness and provide training (based on a process-oriented approach) on issues of women's and reproductive rights, directed both at personnel within NIs, as well as at public sector and judicial institutions, local governments and the media.

At the regional level:

1. Seek closer ties, cooperation and technical assistance from international organizations and cooperation agencies, to support national and regional action for the promotion and protection of reproductive rights, using a process-oriented approach, for example:
 - a. Information and promotional campaigns;
 - b. Sub-regional committees to follow-up on the recommendations of this Seminar-Workshop;
 - c. Implementation of regional training seminars for the NIs;
 - d. Networks for the exchange of experiences and information among the NIs.
2. Contribute to the strengthening of the Network of Women's Rights Offices.



3. Develop working relations and strategic alliances on issues related to sexual and reproductive rights between NIs and non-governmental organizations of regional scope engaged in specialized work in this field.
4. Develop a communications strategy among NIs for the exchange of information, work experiences, information, training materials, legislation and jurisprudence and research, among others.
5. Promote the inclusion of the subject of sexual and reproductive rights in the agendas of the Ibero-American Ombudsman Federation and the Central American Council of Human Rights Ombudsman.

VI. Acknowledgements

The NIs that participated in the Seminar-Workshop wish to thank the United Nations Office of the High Commissioner for Human rights, the United Nations Population Fund and the Inter-American Institute of Human Rights for organizing this Seminar-Workshop.

We also wish to thank and acknowledge the contribution of all the institutions that shared their work experiences and knowledge on the subject of sexual and reproductive rights, specifically:

The Center for Reproductive Law and Policy (CRLP)
The Inter-American Commission of Human Rights
The Latin American and Caribbean Commission for the Defense of Women's Rights (CLADEM), regional offices of Brazil and Peru
The Center for Legal Action on Human Rights (CALDH) of Guatemala
The National Women's Institute of Costa Rica
The National Institute of the Family and Women of Uruguay
The PROFAMILIA Organization, Colombia
The Judicial Commission of Panama
The Vice-Ministry for Gender, Generational and Family Affairs of Bolivia



VII. Participants

The Resolution of the Seminar-Workshop was signed by the representatives of the participating NIs:

The Ombudsman Office of Argentina, Adriana Viñas
The Ombudsman Office of Bolivia, Godofredo Reinicke
The Canadian Human Rights Commission, Maureen Armstrong
The Ombudsman Office of Colombia, Beatriz Linares
The Ombudsman Office of Costa Rica, Ligia Martin
The Ombudsman Office of Ecuador, Alexandra Arroyo
The Office for the Defense of Human Rights of El Salvador, Raquel Caballero
The Human Rights Office of Guatemala, Francisca Marroquin
The Ombudsman Office of Haiti, Danielle Magloire
The National Commissioner for Human Rights of Honduras, Ana Pineda
The Ombudsman Office of Jamaica, Cory Mills
The National Human Rights Commission of Mexico, Armando Torres
The Office for the Defense of Human Rights of Nicaragua, Annabelle Sanchez and Patricia Independencia Obregon
The Ombudsman Office of Panama, Zulima Fernandez
The Ombudsman Office of Paraguay, Sonia Fernandez
The Ombudsman Office of Peru, Lali Vicente
The Ombudsman Office of Venezuela, Asia Villegas

Done at San Jose, Costa Rica, this sixteenth day of May of the year two thousand two.