

## HEALTH - FAMILY PLANNING

### III. CONCLUDING OBSERVATIONS, CONTINUED

#### CERD

- Slovakia, CERD, A/59/18 (2004) 70 at para. 389.

389. The Committee is concerned about reports of cases of sterilization of Roma women without their full and informed consent. In this respect, the Committee welcomes the assurances given by the delegation that a draft law on health care, which would address shortcomings in the system by specifying the requirement of free and informed consent for medical procedures and guarantee patients' access to medical files, has been approved by the Government and should shortly be adopted by the Parliament.

The Committee strongly recommends that the State party take all necessary measures to put an end to this regrettable practice, including the speedy adoption of the above-mentioned draft law on health care. The State party should also ensure that just and effective remedies, including compensation and apology, are granted to the victims.

#### ICCPR

- Azerbaijan, ICCPR, A/57/40 vol. I (2002) 47 at para. 77(16).

(16) The Committee is concerned that the State party has not undertaken adequate measures to help women prevent unwanted pregnancies and to ensure that they do not undergo life-threatening abortions.

The State party should take adequate measures to help women prevent unwanted pregnancies and avoid resorting to life-threatening abortions, and to adopt appropriate family planning programmes to this effect.

#### *See also:*

- Viet Nam, ICCPR, A/57/40 vol. I (2002) 67 at para. 82(15).
- Hungary, ICCPR, A/57/40 vol. I (2002) 60 at para. 80(11).

(11) The Committee is concerned at the high maternal mortality rate in Hungary and the fact that the State party does not provide sufficient support for family planning through effective means of contraception.

The State party should take steps to protect women's life and health, through more effective

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family planning and contraception (article 6 of the Covenant).

- Republic of Moldova, ICCPR, A/57/40 vol. I (2002) 76 at para. 84(18).

(18) The Committee is concerned that the delegation was unable to respond to the question of whether the practice of relying on abortion as a means of contraception is a cause of the high level of maternal mortality in the State party.

The State party should undertake a careful assessment of the issue of abortion and maternal mortality and take the necessary measures to reduce the high maternal death rate.

- Mali, ICCPR, A/58/40 vol. I (2003) 47 at para. 81(14).

(14) While noting the considerable efforts made by the State party, the Committee remains concerned at the high maternal and infant mortality rate in Mali, due in particular to the relative inaccessibility of health and family planning services, the poor quality of health care provided, the low educational level and the practice of clandestine abortions (article 6 of the Covenant).

So as to guarantee the right to life, the State party should strengthen its efforts in that regard, in particular in ensuring the accessibility of health services, including emergency obstetric care. The State party should ensure that its health workers receive adequate training. It should help women avoid unwanted pregnancies, including by strengthening its family planning and sex education programmes, and ensure that they are not forced to undergo clandestine abortions, which endanger their lives. In particular, attention should be given to the effect on women's health of the restrictive abortion law.

- Slovakia, ICCPR, A/58/40 vol. I (2003) 52 at para. 82(12).

(12) Despite the oral and written answers provided by the delegation, the Committee remains concerned at reports of forced or coerced sterilization of Roma women. In particular, the Committee regrets that in its written answers submitted after the oral consideration of the report, the State party did not clearly deny or admit breaches of the principle of full and informed consent but asserted that an investigation of maternity wards and gynaecology departments of 12 hospitals did not reveal infringements of "medical indication" of sterilization. The reference made, in the same submission, to "the fact that not all administrative acts were fulfilled in every case" appears to amount to an implicit admission of breaches of the requirement of informed consent (arts. 7, 26).

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The State party should adopt all necessary measures to investigate all alleged cases of coerced or forced sterilization, publicize the findings, provide effective remedies to victims and prevent any future instances of sterilization without full and informed consent.

- El Salvador, ICCPR, A/58/40 vol. I (2003) 61 at para. 84(14).

(14) The Committee expresses its concern at the severity of the current law against abortion in the State party, especially since illegal abortions have serious detrimental consequences for women's lives, health and well-being.

The State party should take steps to bring its legislation into line with the Covenant as regards the protection of life (art. 6), so that women can be helped to avoid unwanted pregnancies and need not to resort to clandestine abortions that may put their lives in danger, as mentioned in the Committee's general comment No. 28.

- Sri Lanka, ICCPR, A/59/40 vol. I (2003) 30 at para. 66(12).

(12) The Committee is concerned that abortion remains a criminal offence under Sri Lankan law, except where it is performed to save the life of the mother. The Committee is also concerned by the high number of abortions in unsafe conditions, imperilling the life and health of the women concerned, in violation of articles 6 and 7 of the Covenant.

The State party should ensure that women are not compelled to continue with pregnancies, where this would be incompatible with obligations arising under the Covenant (art. 7 and general comment No. 28), and repeal the provisions criminalizing abortion.

- Colombia, ICCPR, A/59/40 vol. I (2004) 35 at para. 67(13).

(13) The Committee notes with concern that the criminalization of all abortions can lead to situations in which women are obliged to undergo high-risk clandestine abortions. It is especially concerned that women who have been victims of rape or incest or whose lives are in danger as a result of their pregnancy may be prosecuted for resorting to such measures (art. 6).

The State party should ensure that the legislation applicable to abortion is revised so that no criminal offences are involved in the cases described above.

- Lithuania, ICCPR, A/59/40 vol. I (2004) 52 at para. 71(12).

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(12) While noting the information provided orally by the delegation on sex education in schools, the Committee is concerned at the high rate of unwanted pregnancies and abortions among young women between the ages of 15 and 19, and the high number of these women contracting HIV/AIDS, with consequent risks to their life and health (art. 6).

The State party should take further measures to help young women avoid unwanted pregnancies and HIV/AIDS, including strengthening its family planning and sex education programmes.

- Albania, ICCPR, A/60/40 vol. I (2004) 25 at para. 82(14).

(14) The Committee is concerned about the high rate of infant mortality and of abortion and the apparent lack of family planning and social care in some parts of the State party (arts. 6, 24 and 26).

The State party should take steps to ensure that abortion is not used as a method of family planning and take appropriate measures to reduce infant mortality.

- Morocco, ICCPR, A/60/40 vol. I (2004) 35 at para. 84(29).

(29) The Committee notes with concern that abortion is still a criminal offence under Moroccan law unless it is carried out to save the mother's life.

The State party should ensure that women are not forced to carry a pregnancy to full term where that would be incompatible with its obligations under the Covenant (arts. 6 and 7) and should relax the legislation relating to abortion.

- Poland, ICCPR, A/60/40 vol. I (2004) 40 at paras. 85(8) and 85(9).

(8) The Committee reiterates its deep concern about restrictive abortion laws in Poland, which may incite women to seek unsafe, illegal abortions, with attendant risks to their life and health. It is also concerned at the unavailability of abortion in practice even when the law permits it, for example in cases of pregnancy resulting from rape, and by the lack of information on the use of the conscientious objection clause by medical practitioners who refuse to carry out legal abortions. The Committee further regrets the lack of information on the extent of illegal abortions and their consequences for the women concerned (art. 6).

The State party should liberalize its legislation and practice on abortion. It should provide

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further information on the use of the conscientious objection clause by doctors, and, so far as possible, on the number of illegal abortions that take place in Poland. These recommendations should be taken into account when the draft Law on Parental Awareness is discussed in Parliament.

(9) The Committee also reiterates its concern about family planning regulations adopted by the State party. The high cost of contraception, the reduction in the number of refundable oral contraceptives, the lack of free family planning services and the nature of sexual education are also of concern to the Committee (art. 6).

The State party should assure the availability of contraceptives and free access to family planning services and methods. The Ministry of Education should ensure that schools include accurate and objective sexual education in their curricula.

- Kenya, ICCPR, A/60/40 vol. I (2005) 44 at para. 86(14).

(14) The Committee expresses concern about the high maternal mortality rate prevalent in the country, caused, *inter alia*, by a high number of unsafe or illegal abortions (article 6 of the Covenant).

The State party should adopt measures to improve access to family planning services for all women. It should review its abortion laws, with a view to bringing them into conformity with the Covenant.

- Mauritius, ICCPR, A/60/40 vol. I (2005) 52 at para. 88(9).

(9) The Committee notes with concern that section 235 of the Penal Code penalizes abortion even when the mother's life is in danger, and thus may encourage women to resort to unreliable and illegal abortion, with inherent risks for their life and health (Covenant, art. 6).

The State party should review its legislation to ensure that women are not forced to carry pregnancies to term in violation of the rights guaranteed by the Covenant.

## ICESCR

- Colombia, ICESCR, E/2002/22 (2001) 110 at paras. 773 and 794.

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773. The Committee is deeply concerned about the current low status of women's sexual and reproductive health rights and in particular about the increased incidence of illegal abortions...

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794. ...The Committee recommends that the State party implement vigorously its national sexual and reproductive health programme.

- Jamaica, ICESCR, E/2002/22 (2001) 130 at paras. 940, 941 and 953.

940. The Committee is concerned about the health of adolescents in the State party, who are at high risk of many diseases, in particular those related to sexual and reproductive health. The Committee also notes with concern the rising incidence of teenage pregnancies, leading to higher mortality rates related to abortion of unwanted pregnancies and to higher dropout rates for girls who leave school to take care of their babies.

941. The Committee is also concerned that clandestine abortion is the cause of a large number of deaths due to infections and complications from procedures performed under unsanitary conditions by untrained personnel and that it is one of the leading factors in the high maternal mortality rate in the State party.

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953. The Committee urges the State party to ensure the provision of education on sexual and reproductive health, and to facilitate access to contraceptives by adolescents where appropriate. The Committee recommends the establishment of benchmarks in this respect, on the basis of comparative data to be discussed in the next periodic report, and refers the State party to paragraphs 57 and 58 of its General Comment No. 14 (2000) on the right to the highest attainable standard of health (art. 12 of the Covenant).

- Trinidad and Tobago, ICESCR, E/2003/22 (2002) 45 at para. 273.

273. The Committee notes that the State party, in answering questions about specific programmes devoted to reducing and preventing infant mortality and maternal mortality, as well as teenage pregnancies and back-street abortions, did not provide disaggregated data on a comparative basis which would put the Committee in the position to ask focused questions as to how the delineated health programmes have actually been put into practice.

- Poland, ICESCR, E/2003/22 (2002) 54 at paras. 369 and 391.

369. The Committee is concerned that family planning services are not provided in the

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public health-care system and that women have no access to affordable contraception. It also expresses concern that education in sexual and reproductive health is not adequately covered in the national school curricula.

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391. The Committee...recommends that family planning services be provided by the public health-care system, that contraceptives be available at affordable prices and that sexual and reproductive health education be included in the national school curricula.

- Estonia, ICESCR, E/2003/22 (2002) 68 at para. 513 and 536.

513. While recognizing that affordable contraception is widely available in the State party, the Committee expresses its concern that abortion is still commonly used as a method of birth control, which puts the health of women at risk.

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536. The Committee recommends that the State party promote a general awareness of safe contraceptive methods, as well as sexual and reproductive health information, and instil awareness about the health risk of using abortion as a method of birth control.

- Brazil, ICESCR, E/2004/22 (2003) 28 at paras. 134 and 158.

134. The Committee notes with concern the high rate of maternal mortality from illegal abortions, particularly in the northern regions where women have insufficient access to health-care facilities. The Committee is also concerned about the persistence of forced sterilization.

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158. The Committee requests the State party to undertake legislative and other measures, including a review of its present legislation, to protect women from the effects of clandestine and unsafe abortion and to ensure that women do not resort to such harmful procedures...

- Republic of Moldova, ICESCR, E/2004/22 (2003) 49 at paras. 317 and 339.

317. The Committee is concerned about the continuing high level of infant and maternal mortality. It is also concerned that the number of abortions remains high (15.6 per 1,000 women of fertile age in 2002), notwithstanding the ongoing programmes in the area of reproductive health.

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339. The Committee urges the State party to reinforce its efforts to reduce infant and maternal mortality by increasing health coverage for women and children. The Committee calls upon the State party to strengthen efforts to promote awareness of sexual and

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reproductive health, safe contraceptive methods and the health risk of using abortion as a method of birth control...

- Russian Federation, ICESCR, E/2004/22 (2003) 64 at paras. 477 and 505.

477. The Committee is concerned about the high levels of infant and maternal mortality in the State party. It also notes with concern that unsafe abortion remains a main cause of maternal mortality.

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505. The Committee urges the State party to reinforce its efforts to reduce infant and maternal mortality. The State party should promote awareness of safe contraceptive methods and ensure that abortions are carried out under adequate medical and sanitary conditions.

- Lithuania, ICESCR, E/2005/22 (2004) 18 at paras. 94 and 116.

94. The Committee is concerned that the number of young women (aged 19 years and under) who have abortions is increasing, and regrets that the State party has not furnished any information on reproductive health.

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116. The Committee calls upon the State party to strengthen its efforts to promote awareness of sexual and reproductive health, safe contraceptive methods and the health risk of using abortion as a method of birth control...

- Kuwait, ICESCR, E/2005/22 (2004) 29 at paras. 196 and 216.

196. The Committee takes note with concern of the statement made by the delegation of the State party that abortion is allowed only when the life of the mother is endangered. The Committee is also concerned about the lack of a comprehensive sexual and reproductive health programme in the State party.

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216. The Committee recommends that the State party's legislation on abortion include other motives for performing legal abortion with a view to preventing illegal abortion. The Committee also recommends that the State party develop a comprehensive sexual and reproductive health programme...

- Spain, ICESCR, E/2005/22 (2004) 34 at paras. 245 and 263.

245. The Committee is concerned about the high abortion rate among adolescent women



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aged between 15 and 19 years (13.89 per cent in 2001).

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263. The Committee recommends that the State party monitor closely the incidence of abortions among adolescent women and adopt necessary measures, legislative or otherwise, to address this problem, including by intensifying specific programmes on sexual and reproductive health among adolescent women...

- Malta, ICESCR, E/2005/22 (2004) 45 at paras. 352, 370 and 371.

352. The Committee observes with concern that abortion is illegal in all cases under the law of the State party.

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370. The Committee urges the State party to review its legislation on abortion and consider exceptions to the general prohibition of abortion for cases of therapeutic abortion and when the pregnancy is the result of rape or incest.

371. The Committee recommends that the State party strengthen education programmes on sexual and reproductive health and support sexual and reproductive health services.

- Azerbaijan, ICESCR, E/2005/22 (2004) 59 at paras. 495 and 521.

495. The Committee remains concerned about the low level of awareness of the general public in Azerbaijan of sexual and reproductive health issues, in particular with regard to the availability and use of contraceptives. The Committee is particularly concerned that a high proportion of women resort to abortion as the principal method of birth control, and about the high infant and maternal mortality rates. The Committee also regrets that no comprehensive sexual and reproductive health programme exists in the State party...

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521. The Committee recommends that the State party...develop a comprehensive sexual and reproductive health programme, including a public awareness-raising campaign about safe contraceptive methods. The Committee also urges the State party to take measures to reduce the maternal and infant mortality rates and to ensure that abortions are carried out under adequate medical and sanitary conditions...

- China, ICESCR, E/2006/22 (2005) 25 at paras. 147, 165, 178 and 194.

147. The Committee is deeply concerned about the high rate of abortion of the girl foetus.

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165. The Committee is deeply concerned about reports of forced abortions and forced sterilizations imposed on women, including those belonging to ethnic minority groups, by local officials in the context of the one-child policy, and about the high maternal mortality rate as a result of unsafe abortions.

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178. The Committee strongly recommends that the State party undertake effective public education measures, including awareness-raising programmes designed to eliminate gender-based prejudices and traditional practices that are harmful to women and girls...

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194. The Committee urges the State party to undertake effective measures to ensure that abortions are carried out voluntarily and under adequate medical and sanitary conditions and to ensure that the existing legislation governing the one-child policy does not violate the rights enshrined in article 10 of the Covenant...

- China (Hong Kong Special Administrative Region), ICESCR, E/2006/22 (2005) 34 at paras. 217 and 229.

217. The Committee remains concerned about the public's low level of awareness in the Hong Kong Special Administrative Region of sexual and reproductive health issues. The Committee also regrets that no comprehensive sexual and reproductive health programme exists in the Hong Kong Special Administrative Region and that sexual and reproductive health education is not part of the school curriculum.

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229. The Committee recommends that the Hong Kong Special Administrative Region develop a comprehensive sexual and reproductive health programme, including a public awareness-raising campaign on safe contraceptive methods. The Committee also calls upon the Hong Kong Special Administrative Region to introduce sexual and reproductive health education in the school curriculum.

## CEDAW

- Estonia, CEDAW, A/57/38 part I (2002) 13 at paras. 111 and 112.

111. While recognizing some improvements in the area of health, after a deterioration of the situation in the years following independence, the Committee is concerned with the increase of tuberculosis, sexually transmitted diseases and HIV, as well as with high suicide rates among women. The Committee notes with concern the high rate of abortion among women and the significance of this fact with regard to effective access to family planning methods, including contraceptives, especially among women in rural areas and low incomes.

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112. The Committee draws attention to its general recommendation 24 on women and health and recommends that comprehensive research be undertaken into the specific health needs of women, including reproductive health, the financial and organizational strengthening of family planning programmes addressed to women and men and the provision of wide access to contraceptives for all women. The Committee urges the State party to reinforce programmes on sexual education for both girls and boys in order to foster responsible sexual behaviour...

- Trinidad and Tobago, CEDAW, A/57/38 part I (2002) 19 at paras. 158-160.

158. ...The Committee...recommends that Trinidad and Tobago introduce appropriate policies and programmes for sex education and family planning education.

159. The Committee is concerned that family planning programmes appear to be aimed only at women and there is limited emphasis on male responsibility in this regard.

160. The Committee recommends the introduction of programmes to encourage men to take part in family planning responsibilities.

- Uruguay, CEDAW, A/57/38 part I (2002) 23 at paras. 202 and 203.

202. The Committee notes with concern the high pregnancy rates among adolescents, and that young adolescents make up a high proportion of this group. It also notes the high rate of deaths related to abortion among adolescents.

203. The Committee recommends that the State party examine the situation of adolescents as a matter of priority, and urges it to take action to ensure that effective reproductive and sexual health services are provided and that due attention is paid to the information requirements of adolescents, including through programmes and policies to provide information on the different kinds of contraceptives available and how they are to be obtained, on the basis of the principle that family planning is the responsibility of both the man and the woman...

- Sri Lanka, CEDAW, A/57/38 part I (2002) 31 at paras. 271, 282 and 283.

271. ...The Committee...commends the easy access to family planning for women and men and the well-developed maternal and child health care system, which has contributed to a decline in maternal mortality.

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282. The Committee is concerned that women who become pregnant as a result of rape or incest have to endure significant physical and mental torture.

283. The Committee encourages the State party to reintroduce legislation to permit termination of pregnancy in cases of rape, incest and congenital abnormality of the foetus.

- Portugal, CEDAW, A/57/38 part I (2002) 35 at paras. 345 and 346.

345. The Committee is concerned about the restrictive abortion laws in place in Portugal, in particular because illegal abortions have serious negative impacts on women's health and well-being.

346. The Committee urges the State party to facilitate a national dialogue on women's right to reproductive health, including on the restrictive abortion laws. It also urges the State party to further improve family planning services, ensuring their availability to all women and men, including teenagers and young adults...

- Russian Federation, CEDAW, A/57/38 part I (2002) 40 at paras. 399 and 400.

399. The Committee is concerned at the deterioration of the health-care system, which severely limits women's access to health care. It is also concerned at the state of women's health, in particular the increase gynaecological problems and pregnancies among teenage girls. The Committee also notes with concern that, although there has been a decrease in the rate of abortions, abortion continues to be used as a method of birth control and the number of women using effective contraceptive measures is low.

400. The Committee recommends in accordance with General Recommendation 24 on article 12 - women and health that the State party fully implement a life-cycle approach to women's health and urges the State party to strengthen family planning programmes and provide affordable access to contraceptive measures for all women in all regions. It also urges the State party to include sex education in the school curriculum.

- Suriname, CEDAW, A/57/38 part II (2002) 82 at paras. 63 and 64.

63. The Committee notes with concern that there are provisions in the penal code regarding family planning, including prohibiting the display and offering of contraceptives for the prevention of pregnancy, although these provisions are not enforced. Noting that male

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condom use is very low, the Committee is concerned that only women are targeted with regard to contraception...

64. The Committee recommends that the laws restricting family planning activities be repealed. It urges the State party to provide women and men with information on family planning and to introduce programmes to encourage men to take part in family planning responsibilities. The Committee underlines the importance of article 12 of the Convention and urges the State party to implement policies and programmes in accordance with the Committee's general recommendation 24...

- Saint Kitts and Nevis, CEDAW, A/57/38 part II (2002) 90 at paras. 101 and 102.

101. The Committee expresses concern about the high rate of teenage pregnancy.

102. The Committee urges the State party to intensify awareness raising and sexual education aimed at responsible sexual behaviour in the schools and society at large in order to prevent pregnancies. In addition, the Committee also recommends that men be involved in the design and implementation of all family planning strategies, policies and programmes.

- Belgium, CEDAW, A/57/38 part II (2002) 95 at paras. 157 and 158.

157. ...[T]he Committee is...concerned about the phenomenon of teenage pregnancy and voluntary termination of pregnancy among women as young as 14.

158. The Committee...calls on the State party to formulate policies, strategies and programmes to prevent early pregnancies, including education campaigns addressed to young men as well as young women.

- Zambia, CEDAW, A/57/38 part II (2002) 107 at paras. 242 and 243.

242. While noting that the State party has made progress in addressing the basic health needs of women in Zambia, the Committee expresses concern at the high level of maternal and infant mortality, low life expectancy, very high teenage pregnancies and unsafe abortions and lack of adequate healthcare facilities and family planning services, particularly in the rural areas.

243. The Committee recommends that the State party formulate policies and allocate adequate resources to improve the status of women's health, in particular with regard to maternal and infant mortality. It urges the State party to increase women's access to

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healthcare and family planning services. It also recommends that national reproductive health programmes be designed and implemented in order to prevent early pregnancy and induced abortions in rural and urban areas.

- Ukraine, CEDAW, A/57/38 part II (2002) 114 at paras. 289 and 290.

289. The Committee expresses its concern about the status of women's health, especially their reproductive health. The Committee is concerned about the high number of abortions and the fact that the maternal and child mortality rates still remain high...

290. The Committee draws attention to its general recommendation No. 24 on women and health and recommends comprehensive research into the specific health needs of women, including their reproductive health, the full implementation of a life-cycle approach to women's health, the financial and organizational strengthening of family planning programmes and the provision of wide access to contraceptives for all women and men. The Committee urges the State party to reinforce programmes of sexual and reproductive education for both girls and boys in order to foster responsible sexual behaviour and further discourage abortion as a means of birth control...

- Armenia, CEDAW, A/57/38 part III (2002) 150 at paras. 52 and 53.

52. The Committee expresses concern that budget cuts in the health-care system severely limit women's access to health care. It is concerned about the status of women's health, especially their reproductive health, and the increase in the rate of maternal mortality. The Committee is concerned at the widespread use of abortion as a commonly used means of birth control, particularly in rural areas.

53. The Committee urges the State party to maintain access to affordable and adequate health care. Drawing attention to its general recommendation 24 on women and health, the Committee calls on the State party to ensure the availability and accessibility of affordable contraceptive means to both women and men as part of a comprehensive health policy. The Committee encourages the State party to promote programmes of sex education for both girls and boys. The Committee calls on the State party to take all appropriate steps to foster responsible sexual behaviour and take all appropriate steps to stop the use of abortion as a means of birth control.

- Czech Republic, CEDAW, A/57/38 part III (2002) 157 at paras. 101 and 102.

101. The Committee is concerned about the status of women's health, especially their

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reproductive health. While recognizing the 60 per cent decrease in abortion since 1994 and the progressive increase in the use of intrauterine and hormonal contraceptives, the Committee is concerned that the current abortion rate may suggest that abortion is still being used as a means of birth control. It is also concerned that voluntary sterilization for women is permitted solely for health reasons...

102. The Committee draws attention to its general recommendation No. 24 on women and health and recommends the collection of data disaggregated by sex as well as comprehensive research into the specific health needs of women, including their reproductive health, the full implementation of a life-cycle approach to women's health, the financial and organizational strengthening of family planning programmes, the provision of wide access to safe and affordable contraceptives for all women and men, and the lifting of the restrictions on voluntary sterilization. The Committee urges the State party to reinforce programmes of sexual and reproductive education for both girls and boys. The Committee calls on the State party to encourage responsible sexual behaviour and further discourage abortion as a means of birth control...

### *See also:*

- Hungary, CEDAW, A/57/38 part III (2002) 189 at paras. 329 and 330.
- Uganda, CEDAW, A/57/38 part III (2002) 164 at paras. 147 and 148.

147. The Committee is concerned about the high rate of teenage pregnancy and its consequences for girls' enjoyment of the rights in the Convention, particularly in the spheres of education and health. It is also concerned at the high rate of maternal mortality among teenage girls, particularly in the rural areas, frequently as a result of clandestine abortion.

148. The Committee recommends that the State party design and implement national health, including reproductive health, programmes to prevent early pregnancies and induced abortions in rural and urban areas. The Committee also urges the State party to reinforce programmes of sexual and reproductive health education for both girls and boys. It also calls on the State party to provide safe and affordable contraceptives.

- Guatemala, CEDAW, A/57/38 part III (2002) 171 at para. 194 and 195.

194. The Committee also expresses concern about the limited autonomy that women have over decisions on the number and spacing of their children, and the limited sex education and knowledge of family planning. The Committee is also concerned about prevalent social attitudes that measure a man's masculinity by the number of children he fathers.

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195. The Committee calls upon the State party to improve its family planning and reproductive health policy and programmes by, *inter alia*, making affordable contraceptive means widely available and accessible to both women and men, in particular in the rural areas. It encourages the State party to redouble its efforts to eliminate the view that the sole role of women is reproduction, as stated in its combined third and fourth periodic report.

- Greece, CEDAW, A/57/38 part III (2002) 184 at paras. 291 and 292.

291. Noting that the rate of abortion has decreased by 30 per cent during the years 1994 through 2000, the Committee is concerned that abortion is still perceived as a means of birth control. It also notes with concern that an unusually high percentage of women deliver through Caesarean section.

292. The Committee recommends that the State party ensure the availability and accessibility of affordable contraceptive means for both women and men as part of a comprehensive health policy, including reproductive health. The Committee encourages the State party to promote programmes of sex education for both girls and boys. It calls on the State party to encourage responsible sexual behaviour and take all appropriate steps to eliminate the use of abortion as a means of birth control. The Committee also recommends that the State party implement awareness-raising programmes on the benefit of natural birth in order to decrease the number of deliveries through Caesarean section.

- Yemen, CEDAW, A/57/38 part III (2002) 200 at paras. 396 and 397.

396. The Committee notes with concern the high maternal mortality rates.

397. The Committee recommends that the State party take urgent measures to develop health programmes aimed at reducing the maternal mortality rate and to make contraceptives affordable and accessible.

- Peru, CEDAW, A/57/38 part III (2002) 212 at paras. 482-485.

482. The Committee is concerned about the situation of women's health and particularly their reproductive health...The Committee notes with concern the high maternal mortality rate and particularly mortality resulting from illegal abortions, including among adolescents, and the requirements that may prevent women from obtaining medical treatment in abortion cases. The Committee is also concerned about the inadequacy of sex education and the limited dissemination, availability and supply of all contraceptive methods, particularly among indigenous women and in the most vulnerable sectors of the population, as well as



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among adolescents...

483. ...The Committee recommends that the State party should give priority to the situation of the adolescent population and also urges it to adopt measures to strengthen the family planning programme and to guarantee access to sexual and reproductive health services, attending to the information needs of the population, particularly adolescents, by pursuing programmes and policies geared to increasing knowledge about various contraceptive methods and their availability, on the understanding that family planning is the responsibility of both partners. It also urges the State party to promote sex education for the entire population, including adolescents...

484. The Committee notes with concern that, in the period covered by the report, mention is made of numerous cases of sterilization of women without prior informed consent, using psychological violence or the promise of financial incentives, thus affecting women's right to decide the number and spacing of their children. The Committee is also concerned that, although the Deputy Defender for Women's Rights and other organs have condemned these practices, those responsible have not been punished.

485. The Committee recommends that all necessary measures should be taken to continue to provide the service of surgical sterilization so as to give women the right of free choice as regards their reproductive health, after they have been duly informed of the medical details and consequences of the operation and have given their consent. The Committee also recommends that a recurrence of these incidents should be avoided in the future. It further recommends that efforts should be continued to bring before the courts the persons responsible for this violation of the right to health.

### *See also:*

- Mexico, CEDAW, A/57/38 part III (2002) 205 at paras. 445 and 446.
- Congo, CEDAW, A/58/38 part I (2003) 29 at paras. 174 and 175.

174. The Committee notes with concern the existence of very high maternal and infant mortality rates in the Congo. The Committee is further concerned at the low contraceptive prevalence rate among women and men and the lack of access of women to adequate pre-natal and post-natal care and family planning information, particularly in rural areas.

175. The Committee recommends that the State party make every effort to raise awareness of and increase access to health-care facilities and medical assistance by trained personnel, particularly in rural areas and particularly in the areas of post-natal care. The Committee further recommends the speedy review and amendment of the Act of 31 July 1920, which prohibits the advertising of contraceptives, thereby limiting women's access to family

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planning.

- El Salvador, CEDAW, A/58/38 part I (2003) 41 at paras. 259 and 260.

259. The Committee observes with concern the lack of necessary sex education programmes and their dissemination and the resulting impact on the high rate of teenage pregnancy, in particular in rural areas, and on the increase in the spread of sexually transmitted diseases and HIV/AIDS. The Committee is concerned at the obstacles that women face in gaining access to adequate health-care services, including those for the prevention of cancer.

260. The Committee recommends to the State party that it adopt measures to guarantee and expand access to health-care services, paying special attention to the implementation of programmes and policies for disseminating and raising awareness of sex education, particularly among adolescents, including information on contraceptives and their availability in society as a whole, taking into account that family planning is the responsibility of the couple and placing special emphasis on preventing and combating sexually transmitted diseases and HIV/AIDS.

- Costa Rica, CEDAW, A/58/38 part II (2003) 86 at paras. 68 and 69.

68. The Committee notes with satisfaction the comprehensive health-care programmes for women and the progress achieved, as well as the establishment of the Inter-Institutional Commission on Sexual and Reproductive Health, the 1994 Reproductive and Sexual Health and Rights Counselling Services and the new comprehensive health-care model. Nevertheless, the Committee expresses its concern at the limited dissemination of women's comprehensive health-care rights and the absence of a national sexual education and family planning information and/or education programme to permit the creation of awareness among women and men of their rights and responsibilities in relation to the reproductive process. It is also concerned that, despite the steps taken and the adoption of the Adolescent Mothers' Protection Act, there is continued increase in teenage pregnancies and apparent lack of awareness among men, teenage or adult, of their responsibility as fathers.

69. The Committee requests the State party to strengthen its health-care programmes, including those for sexual and reproductive health, and to launch as soon as possible a national programme to provide women and men with timely and reliable information on the available contraceptive methods and those capable of allowing them to exercise their right of free and informed choice of the number and spacing of the children they wish to have, as well as to reinforce the measures for preventing sexually transmitted diseases and HIV/AIDS, including the availability of condoms. It also requests the State party to continue strengthening support programmes for pregnant teenagers and mothers and sex education

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programmes aimed at preventing pregnancies among the teenage population.

- Brazil, CEDAW, A/58/38 part II (2003) 93 at paras. 93, 126 and 127.

93. The Committee commends the State party for a number of legal reforms introduced since the ratification of the Convention in 1984, including the law on paternity suits involving children born out of wedlock; the law on the right to family planning...

...

126. The Committee is concerned at the high maternal mortality rate, particularly in the more remote regions where access to health facilities is very limited. The Committee is also concerned at the health condition of women from disadvantaged groups and at the high rate of clandestine abortion and its causes, linked to, among others, poverty, exclusion and a lack of access to information...

127. The Committee recommends that further measures be taken to guarantee effective access of women to health-care information and services, particularly regarding sexual and reproductive health, including young women, women from disadvantaged groups and rural women. Those measures are essential to reduce maternal mortality and to prevent recourse to abortion and protect women from its negative health effects. It further recommends that programmes and policies be adopted to increase the knowledge of and access to contraceptive methods with the understanding that family planning is the responsibility of both partners. The Committee also recommends that sex education be widely promoted, particularly targeting adolescents, with special attention to the prevention and further control of HIV/AIDS.

- Morocco, CEDAW, A/58/38 part II (2003) 101 at paras. 172 and 173.

172. Although progress has been made in reducing maternal and infant mortality rates and in increasing access to means of family planning, the Committee is concerned about the insufficient number of health-care facilities and particularly about the situation of rural women who have little or no access to health-care services and health-care professionals.

173. The Committee calls upon the State party to increase women's access to primary health-care services, including reproductive health care, particularly for rural women, and to further increase access to affordable means of family planning for women and men. It also calls upon the State party to increase awareness campaigns on the importance of health and reproductive rights, including information on the spread of sexually transmitted diseases (STDs), including the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS).

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- Ecuador, CEDAW, A/58/38 part II (2003) 122 at paras. 317 and 318.

317. The Committee is concerned that, although there is a National Education Plan for Love and Sexuality, it is not applied consistently and little is done to publicize women's right to sexual and reproductive health care, which would help to make both sexes aware of their rights and responsibilities in the area of reproduction. The Committee is also concerned at the high rate of pregnancy and abortion among teenagers, particularly in rural areas.

318. The Committee urges the State party to implement the National Education Plan for Love and Sexuality and to strengthen its health-care programmes, including sexual and reproductive health, and, as soon as possible, to implement a national programme that provides women and men with adequate and reliable information on available contraceptive methods and methods that can enable them to exercise their right to make a free and informed decision concerning the number and spacing of their children and to strengthen methods for preventing sexually transmitted diseases and HIV/AIDS, including the availability of condoms. It also requests the State party to continue strengthening support programmes for pregnant teenagers and teenage mothers and sexual education programmes to prevent pregnancies among the teenage population...

- Bhutan, CEDAW, A/59/38 part I (2004) 21 at paras. 119 and 120.

119. While recognizing progress made in the area of women's health, the Committee expresses concern about the lack of a holistic and life-cycle approach to women's health.

120. The Committee calls upon the State party to increase the access of women and adolescent girls to affordable health-care services, including reproductive health care, and to increase access to affordable means of family planning for women and men. It also calls upon the State party to step up its efforts to implement awareness-raising campaigns targeting women and men on the importance of family planning and related aspects of women's health and reproductive rights.

- Nepal, CEDAW, A/59/38 part I (2004) 34 at paras. 212 and 213.

212. The Committee is concerned...that women's health is adversely affected by factors such as early marriage and early pregnancy, inadequate family planning services and illiteracy, which is an obstacle to obtaining and effectively using health-related information...

213. The Committee recommends that the State party take further measures to improve the access of women, particularly rural women, to health-related services and information, including in regard to sexual and reproductive health, in an effort to reduce maternal

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mortality. It also recommends that programmes and policies be adopted to increase knowledge of and access to contraceptive methods, bearing in mind that family planning should be the responsibility of both partners. It further recommends that sex education be widely promoted, particularly targeting boys and girls, with special attention to the prevention and further control of sexually transmitted diseases and HIV/AIDS...

- Ethiopia, CEDAW, A/59/38 part I (2004) 42 at paras. 257 and 258.

257. The Committee is concerned about the very low level of life expectancy for women, the high rate of maternal mortality and the high prevalence of HIV/AIDS among women. The Committee is also concerned at the high rate of clandestine abortion and its causes, which include poverty, a lack of access to information on women's reproductive health and rights and low prevalence of contraceptive use.

258. The Committee recommends the adoption of measures to guarantee effective access for women, including young women, to health-care information and services, in particular regarding reproductive health, with the aim of reducing clandestine abortions. It further recommends that programmes and policies be adopted to increase knowledge about and access to affordable contraceptive methods, as well as to increase the understanding that family planning is the responsibility of both partners. The Committee also recommends that sex education be widely promoted and provided, targeting men, women and adolescent boys and girls, with special attention to the prevention and further control of HIV/AIDS.

- Nigeria, CEDAW, A/59/38 part I (2004) 49 at paras. 307 and 308.

307. The Committee expresses concern at the precarious situation of women's health, the insufficient and inadequate health-care facilities and family planning services and the lack of access to such facilities and services. The Committee is concerned about the high rates of maternal mortality as a result of unsafe abortions...

308. The Committee urges the State party to allocate adequate resources to improving the status of women's health, in particular with regard to maternal and infant mortality. It urges the State party to increase women's and adolescent girls' access to affordable health-care services, including reproductive health care, and to increase access to affordable means of family planning for women and men. It urges the State party to take measures to assess the impact of its abortion laws on women's health. The Committee urges the State party to introduce a holistic and life cycle approach to women's health, taking into account general recommendation 24 on women and health.

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- Belarus, CEDAW, A/59/38 part I (2004) 55 at paras. 355 and 356.

355. The Committee is concerned...at the continuing use of abortion as a primary method of birth control, teenage pregnancy, the deterioration of the health of pregnant women and the spread of sexually transmitted diseases, including HIV/AIDS...

356. The Committee recommends the full implementation of a holistic, life cycle approach to women's health, including access to affordable health care, the financial and organizational strengthening of family planning programmes and the provision of wide access to contraceptives for all women and men, in accordance with its general recommendation 24 on women and health. It urges the State party to reinforce programmes of sexual and reproductive education for both girls and boys in order to foster responsible sexual behaviour and further discourage abortion as a means of birth control...
- Latvia, CEDAW, A/59/38 part II (2004) 103 at paras. 69 and 70.

69. While noting a steady decrease in the number of abortions, the Committee is concerned that the abortion rate remains high.

70. The Committee recommends that further measures be taken to guarantee effective access of women to health-care information and services, particularly regarding sexual and reproductive health, in order to prevent recourse to abortion and protect women from its negative health effects. It further recommends that programmes and policies be adopted to increase the knowledge of and access to contraceptive methods with the understanding that family planning is the responsibility of both partners.
- Angola, CEDAW, A/59/38 part II (2004) 118 at paras. 162 and 163.

162. ...The Committee is especially concerned about women's low life expectancy, high maternal mortality and morbidity rates, high fertility rates and inadequate family planning services, low rates of contraceptive use and lack of sex education...

163. The Committee urges the State party to continue its efforts to improve the country's health infrastructure. It calls on the State party to integrate a gender perspective in all health sector reforms, while also ensuring that women's sexual and reproductive health needs are adequately addressed. In particular, the Committee recommends that the State party undertake appropriate measures to improve women's access to health care and health-related services and information, including access for women who live in rural areas. It calls on the State party to improve the availability of sexual and reproductive health services, including family planning information to reduce maternal mortality. It also recommends that

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programmes and policies be adopted to increase knowledge of and access to affordable contraceptive methods, so that women and men can make informed choices about the number and spacing of children. It further recommends that sex education be widely promoted and targeted at girls and boys, with special attention to the prevention of early pregnancies and the control of sexually transmitted diseases and HIV/AIDS...

- Equatorial Guinea, CEDAW, A/59/38 part II (2004) 126 at paras. 205 and 206.

205. The Committee expresses concern about the lack of access of women and girls to adequate health-care services, including pre-natal and post-natal care and family planning information, particularly in rural areas. The Committee is also concerned about the alarming rate of teenage pregnancy, which presents a significant obstacle to girls' educational opportunities and economic empowerment.

206. The Committee recommends that the State party make every effort to raise awareness of and increase access to health-care facilities and medical assistance by trained personnel, particularly in rural areas, and in pre- and post-natal care. The Committee urges the State party to take immediate steps to make family planning information available to women and girls, including in rural areas.

- Dominican Republic, CEDAW, A/59/38 part II (2004) 141 at paras. 308 and 309.

308. ...The Committee expresses concern about the high rates of female mortality and morbidity, of which unsafe abortions are among the primary causes.

309. The Committee recommends the adoption of measures to ensure that women, especially young women, the disabled and women living in rural areas, have access to information and health services, particularly those relating to sexual and reproductive health and cancer prevention. Such measures are essential in order to reduce the rate of maternal mortality, prevent women from resorting to unsafe abortion and protect women against the negative effects on their health. In this regard, the Committee recommends that the State health services should provide an abortion when the pregnancy is a result of rape or when the mother's health is in danger. It also recommends the development of programmes and policies to increase knowledge of and access to contraception, bearing in mind that family planning is the responsibility of both members of the couple. The Committee also recommends promoting sex education widely, particularly for adolescents, with special emphasis on combating sexually transmitted diseases and HIV/AIDS...

- Argentina, CEDAW, A/59/38 part II (2004) 155 at paras. 380 and 381.

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380. While appreciating the establishment of the National Programme for Sexual Health and Responsible Parenthood, the Committee is concerned about the lack of information on the State party's efforts to evaluate the effectiveness of that Programme. The Committee also expresses concern about the high pregnancy rate among adolescents, the high rate of maternal mortality, one third of which is caused by illegal abortion, and the increase in sexually transmitted diseases, including HIV/AIDS. The Committee is also concerned that the crisis is having a negative impact on women's and adolescent girls' access to comprehensive health services, particularly for reproductive and sexual health.

381. The Committee urges the State party to ensure that women's and adolescent girls' access to health services, including sexual and reproductive health services, is fully ensured at the present time. It calls upon the State party to ensure that education on sexual and reproductive health is undertaken in all schools. It also urges the State party to adopt all necessary measures to reduce the high maternal mortality rate, as well as the rate of sexually transmitted diseases, including HIV/AIDS, among women...

- Samoa, CEDAW, A/60/38 part I (2005) 9 at paras. 56 and 57.

56. The Committee...is...concerned about the rising incidence of teenage pregnancy, the limited family-planning efforts, the low contraceptive prevalence rate and the lack of sex education in schools, despite comprehensive access for women to health services, including reproductive health services...

57. The Committee urges the State party to increase its efforts to improve the provision of sexual and reproductive health services to reduce fertility rates and maternal morbidity. It calls upon the State party to step up the provision of family-planning information to women and girls and to promote widely sex education targeted at girls and boys, with special attention to the prevention of teenage pregnancy and the control of HIV/AIDS...

- Lao People's Democratic Republic, CEDAW, A/60/38 part I (2005) 16 at paras. 96 and 97.

96. While noting improvement during the past few years, the Committee is seriously concerned about the very high maternal and infant mortality rates and the high fertility rate, especially among women in rural and remote areas and among ethnic minorities. The Committee is concerned about the lack of health-care facilities and medical professionals in rural villages and remote areas as well as the lack of awareness among women and adolescents regarding reproductive health and family planning, including the use of contraceptives and birth spacing.



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97. The Committee recommends that the State party accelerate the implementation of its national population policy, focusing on expanding its network of health-care facilities and personnel throughout the nation and reaching out to rural and remote areas, *inter alia* to the benefit of ethnic minority women; that it enhance its educational programmes, not only for women, but also for men and adolescents, on reproductive health and family planning; and that it make contraceptives easily available.

- Paraguay, CEDAW, A/60/38 part I (2005) 44 at paras. 287 and 288.

287. The Committee remains concerned about the persistent high maternal mortality rates, particularly deaths due to illegal abortions, the limited access of women to health care and family planning programmes and the apparently unmet need for contraceptives.

288. The Committee reiterates the recommendation made in its previous concluding comments and urges the State party to act without delay and implement effective measures to deal with the high maternal mortality rate, to prevent women from having to resort to unsafe abortions and to protect them from the negative effects on their health, in line with the Committee's general recommendation No. 24 on women and health and the Beijing Declaration and Platform for Action. The Committee urges the Government to strengthen the implementation of programmes and policies aimed at providing effective access for women to health-care information and services, in particular regarding reproductive health and affordable contraceptive methods, with the aim of preventing clandestine abortions. It further recommends holding a national consultation with civil society groups, including women's groups, to address the issue of abortion, which is illegal under the current law and is a cause of women's high mortality rates.

- Lebanon, CEDAW, A/60/38 part II (2005) 109 at paras. 111 and 112.

111. While welcoming the incorporation of reproductive health services into the primary health-care system, the Committee remains concerned that not all women have access to such services, especially in the rural areas. It is also concerned about women's deaths resulting from clandestine abortions.

112. The Committee urges the Government to strengthen, especially in the rural areas, the implementation of programmes and policies aimed at providing effective access for women to health-care information and services, in particular regarding reproductive health and affordable contraceptive methods, with the aim also of preventing clandestine abortions. The Committee further urges the State party to decriminalize abortion where there are mitigating circumstances. The Committee recommends the implementation of measures to protect women from the negative effects on their health of unsafe abortions, in line with the

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Committee's general recommendation 24 on women and health and the Beijing Declaration and Platform for Action.

- Benin, CEDAW, A/60/38 part II (2005) 116 at paras. 157 and 158.

157. While noting the efforts made by the State party to improve reproductive health care to women, the Committee remains concerned about the lack of access to adequate health care for women and girls, particularly in rural areas. It is concerned about the causes of morbidity and mortality in women, particularly the number of deaths due to illegal abortions, and about inadequate family planning services and the low rates of contraceptive use. The Committee expresses its concern that women require the permission of their husbands to obtain contraceptives and family planning services.

158. The Committee recommends that the State party take measures, in accordance with general recommendation 24 on women and health, to improve and increase women's access to health care and health-related services and information, particularly in rural areas. It calls on the State party to improve the availability of sexual and reproductive health services, including family planning, with the aim also of preventing clandestine abortions, and to make available, without requiring the permission of the husband, contraceptive services to women and girls. It further recommends that sex education be widely promoted and targeted at girls and boys, with special attention to the prevention of early pregnancies and sexually transmitted diseases.

- Gambia, CEDAW, A/60/38 part II (2005) 122 at paras. 205 and 206.

205. ...The Committee is...concerned that women lack access to information and services related to reproductive health and that, although contraceptive use increased from 6.7 per cent in 1990 to 13.4 per cent in 2001, it continues to remain low. The Committee regrets that women's access to family planning services is, in general, dependent on several social and cultural factors.

206. ...The Committee calls upon the State party to implement measures to guarantee effective access for women, including young women, to reproductive health-care information and services. It further recommends that programmes and policies be adopted to increase knowledge about, and access to, affordable contraceptive methods and to increase the understanding that family planning is the responsibility of both partners. It also encourages the State party to ensure that women have easy access to family planning services. The Committee also recommends that sex education be widely promoted and provided, targeting men and women, and adolescent boys and girls, and including information on the prevention of HIV/AIDS.

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- Burkina Faso, CEDAW, A/60/38 part II (2005) 144 at paras. 349 and 350.

349. While noting the efforts made by the State party to improve reproductive health care for women, including through subsidizing contraceptives, the Committee remains concerned about the limited access for women to adequate health-care services, including those related to family planning. It is particularly concerned about high rates of fertility, infant and maternal mortality, and death due to clandestine abortions, inadequate family planning services and low rates of contraceptive use. The Committee is further concerned that the report contained insufficient information on the impact of measures taken to reduce infant and maternal mortality rates, and improve access to family planning services...

350. The Committee recommends that the State party take measures to improve women's access to health care and health-related services and information, in accordance with article 12 of the Convention and the Committee's general recommendation 24 on women and health. It calls upon the State party to improve the availability of sexual and reproductive health services, including family planning, with the aim also of preventing clandestine abortions. It encourages the State party to enhance the availability of contraceptive services. It further recommends that sex education be widely promoted and targeted at girls and boys, with special attention to the prevention of early pregnancies and sexually transmitted diseases...

- Ireland, CEDAW, A/60/38 part II (2005) 151 at paras. 396 and 397.

396. While acknowledging positive developments in the implementation of article 12 of the Convention, in particular the Strategy to Address the Issue of Crisis Pregnancy (2003) that addresses information, education and advice on contraceptive services, the Committee reiterates its concern about the consequences of the very restrictive abortion laws, under which abortion is prohibited except where it is established as a matter of probability that there is a real and substantial risk to the life of the mother that can be averted only by the termination of her pregnancy.

397. The Committee urges the State party to continue to facilitate a national dialogue on women's right to reproductive health, including on the very restrictive abortion laws. It also urges the State party to further strengthen family planning services, ensuring their availability to all women and men, young adults and teenagers.

CAT

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- Chile, CAT, A/59/44 (2004) 28 at paras. 54, 56 and 57.

54. The Committee notes the following positive developments:

...

(h) Assurances by the representatives of the State party that mechanisms have been created to ensure that any testimony obtained under torture will not be admissible in court, and their recognition of the serious problem of coercing confessions from women who seek life-saving treatment in public hospitals after illegal abortions;

...

56. The Committee expresses concern about the following:

...

(j) Reports that life-saving medical care for women suffering complications after illegal abortions is administered only on condition that they provide information on those performing such abortions. Such confessions are reportedly used subsequently in legal proceedings against the women and against third parties, in contravention of the provisions of the Convention;

...

57. The Committee recommends that the State party should:

...

(m) Eliminate the practice of extracting confessions for prosecution purposes from women seeking emergency medical care as a result of illegal abortion; investigate and review convictions where statements obtained by coercion in such cases have been admitted into evidence, and take remedial measures including nullifying convictions which are not in conformity with the Convention. In accordance with World Health Organization guidelines, the State party should ensure immediate and unconditional treatment of persons seeking emergency medical care;

...

## CRC

- Portugal, CRC, CRC/C/111 (2001) 48 at paras. 242 and 243.

242. Noting the establishment of a network functioning in cooperation with the Ministries of Health and Education toward education on adolescent health, the Committee remains concerned that the incidence of teenage pregnancies remains high and at the absence of data on abortions.

243. The Committee recommends that the State party:

(a) Take steps to address adolescent health concerns, including teenage pregnancy and sexually transmitted diseases, through, *inter alia*, sex education, including about birth

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control measures such as the use of condoms;

(b) Strengthen its mental health and counselling services, ensuring that these are accessible and sensitive to adolescents.

### *See also:*

- Spain, CRC, CRC/C/118 (2002) 117 at paras. 505 and 506.

- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 646 and 647.

646. ...The Committee is concerned...at the high rates of teenage pregnancy, the incidence of sexually transmitted diseases, the potential spread of HIV/AIDS and the incidence of unsafe abortions occurring outside the health service structure.

647. The Committee recommends that the State party:

...

(c) Give special attention to teenage pregnancy, sexually transmitted diseases, HIV/AIDS and unsafe abortions, including through the provision of sex education for all adolescents;

...

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 152 and 153.

152. The Committee is concerned that:

(a) The existing plans for sex education in schools have not been fully implemented;

(b) Abortions are widely used as a method of birth control;

(c) There are weaknesses in family planning assistance to adolescents, related to the inadequacy of staff and suitable premises and equipment, as indicated by the State party in its report.

153. The Committee recommends that the State party:

(a) Ensure the provision of relevant health information to adolescents, including through the existing plans for sex education in schools, including a safe birth control practices;

(b) Strengthen its provision of family planning counselling and assistance with particular

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regard to reproductive health, and ensure that adolescents have free and confidential access to such assistance.

- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 295, 296, 299 and 300.

295. The Committee is deeply concerned that:

...

(c) Maternal mortality is very high, owing in part to insufficient prenatal care and assistance at birth and to the large number of clandestine abortions and the poor conditions in which they are carried out;

...

296. While recognizing the significant progress achieved in the past 10 years and noting recent increases in health investment and immunization rates, the Committee urgently recommends that the State party:

...

(b) Give urgent attention to and design practical measures for reducing infant, under-5 and maternal mortality rates, addressing malnutrition, malaria, diarrhoea and respiratory infections, and ensuring that abortions can be conducted with all due attention to minimum standards of health safety;

(c) Make every effort to improve public knowledge of basic health-care measures, including in the areas of prevention and reproductive health, and provide for the availability of affordable contraception in order to ensure that unwanted pregnancies do not occur;

...

299. While noting the State party's efforts to establish the "Adolescent and Youth Programme", the Committee remains concerned at:

(a) The high incidence of adolescent pregnancy and related health concerns;

(b) The high incidence of medical problems related to abortions by adolescent mothers;

...

300. The Committee recommends that the State party:

(a) Strengthen its efforts to establish the "Adolescent and Youth Programme";

(b) Improve the provision of health care for adolescents, giving particular attention to reproductive health concerns, including in the context of family planning, abortion and sexually transmitted diseases, to mental health and to concerns relating to adolescent development;

...

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- Malawi, CRC, CRC/C/114 (2002) 104 at paras. 424 and 425.

424. The Committee remains concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse.

425. The Committee recommends that the State party:

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the full participation of adolescents, use this study as a basis to formulate adolescent health policies and programmes with particular attention to the prevention of sexually transmitted diseases (STDs) and early pregnancies; and

(b) Strengthen sex education and reproductive and mental health counselling services and make them sensitive and accessible to adolescents.

- Saint Vincent and the Grenadines, CRC, CRC/C/118 (2002) 101 at paras. 451 and 452.

451. The Committee is concerned that:

...

(b) The rate of teenage pregnancy is high.

452. The Committee recommends that the State party:

...

(b) Consider means of reducing teenage pregnancy, including strengthening reproductive health education for adolescents, and ensure the provision of full health and counselling support for pregnant girls and that these girls are able to continue their formal education.

- The Netherlands (Antilles), CRC, CRC/C/118 (2002) 129 at para. 568.

568. The Committee recommends that:

...

(b) Every effort be made to improve public knowledge of basic health-care measures, including prevention and reproductive health, and provide for the affordable availability of contraception so that unwanted pregnancy does not occur;

...

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(d) The State party develop a national campaign to inform parents and train professionals on the advantages of breastfeeding and continue and expand to all islands its initiative to introduce “baby friendly” hospitals;

...

- Argentina, CRC, CRC/C/121 (2002) 8 at paras. 71 and 72.

71. While noting the decrease in the infant, child and maternal mortality rates, the Committee is nevertheless concerned that the rates remain high and that there are great disparities in these rates, in particular with regard to children from a lower socio-economic background, those living in rural areas, in particular in the northern provinces, and indigenous children. It also notes that 6 out of 10 infant deaths could be avoided by low-cost actions.

72. The Committee recommends that the State party:

...

(b) In order to further decrease child mortality and morbidity and maternal mortality rates, take measures to implement the Reproductive Health and Responsible Procreation Act of July 2000;

(c) Provide adequate antenatal and post-natal health-care services and develop campaigns to inform parents about basic child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation, family planning and reproductive health, especially in the provinces.

- United Kingdom of Great Britain and Northern Ireland, CRC, CRC/C/121 (2002) 23 at paras. 135 and 136.

135. While noting the efforts undertaken by the State party to reduce the number of teenage pregnancies, the Committee remains concerned at the high rate of teenage pregnancies in the State party...

136. In line with its previous recommendations ([CRC/C/15/Add.34], para. 30), the Committee recommends that the State party:

(a) Take further necessary measures to reduce the rate of teenage pregnancies through, *inter alia*, making health education, including sex education, part of the school curricula, making contraception available to all children, and improving access to confidential and adolescent-sensitive advice and information and other appropriate support (as recommended by the independent Advisory Group on Teenage Pregnancy);



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(b) Review its policies for young mothers under the age of 16 years with regard to allowance entitlements and parenting courses;

...

- Seychelles, CRC, CRC/C/121 (2002) 41 at paras. 205 and 206.

205. The Committee is concerned that:

...

(b) The rate of teenage pregnancies and illegal abortions is high;

(c) Adolescents do not have full access to reproductive health counselling and services.

206. The Committee recommends that the State party:

(a) Increase its efforts to promote adolescent health, including mental health, by focusing, in particular, on the issues of reproductive health, substance abuse and health education in schools and institutions;

(b) Consider means of reducing teenage pregnancy, including through strengthened reproductive health education and access to contraception without parental consent for adolescents;

(c) Ensure the provision of comprehensive health services, counselling and support for pregnant girls.

- Sudan, CRC, CRC/C/121 (2002) 53 at para. 224.

224. The Committee welcomes...the State party's various measures to improve respect for the rights of women, including the campaigns against female genital mutilation and early marriage, and the encouragement of child spacing.

- Italy, CRC, CRC/124 (2003) 36 at paras. 182 and 183.

182. The Committee is concerned at the high prevalence of psychological disorders among adolescents (especially eating disorders) and the relatively high incidence of abortions among adolescents, notably those of foreign origin.

183. The Committee recommends that the State party:

...

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(b) Take further necessary measures to reduce the rate of teenage pregnancies through, *inter alia*, making health education, including sex education, part of the school curricula and strengthening the campaign of information on the use of contraceptives.

- Romania, CRC, CRC/124 (2003) 49 at paras. 244 and 245.

244. The Committee is concerned at:

...

(c) The high number of young mothers and of abortions among teenage girls;

...

245. The Committee recommends that the State party:

...

(b) Establish comprehensive family planning programmes, as well as undertake measures to ensure that abortion is neither perceived nor practised as a method of contraception, such as through campaigns to raise awareness of the importance of contraceptive use to reduce the number of unwanted pregnancies;

...

- Jamaica, CRC, CRC/C/132 (2003) 86 at paras. 436 and 437.

436. The Committee is concerned that:

...

(b) The rate of teenage pregnancy and number of very young mothers are disturbingly high.

437. With reference to the concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.75) and the Committee on the Elimination of Discrimination against Women (A/56/38, paras. 195-233), the Committee recommends that the State party

...

(b) Consider means of reducing teenage pregnancy, including by strengthening reproductive health education and education in family planning for adolescents as well as campaigns and education programmes to change attitudes towards fertility and sexuality, and ensure the provision of full health and counselling support for pregnant girls and that these girls are able to continue their formal education.

- Indonesia, CRC, CRC/C/137 (2004) 8 at paras. 78 and 79.

78. The Committee notes the establishment in 1999 of the Commission on Reproductive Health, to deal, *inter alia*, with the problems of adolescent health, HIV/AIDS prevention and

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family planning. The Committee is nevertheless concerned that these issues remain a problem for adolescents and that no organized system of reproductive health counselling and services, nor education on HIV/AIDS and sexually transmitted infections (STIs) for youth exists...

79. The Committee recommends that the State party:

(a) Develop comprehensive policies and plans on adolescent health, taking into account the Committee's general comment No. 4 (2003) on adolescent health and development;

(b) Strengthen the implementation of the recommendations of the Commission on Reproductive Health;

(c) Promote collaboration between State agencies and NGOs in order to establish a system of formal and informal education on HIV/AIDS and STIs and on sex education;

(d) Take into account the Committee's general comment No. 3 (2003) on HIV/AIDS and the rights of the child and the updated International Guidelines on HIV/AIDS and Human Rights in order to promote and protect the rights of children infected with and affected by HIV/AIDS;

(e) Ensure access to reproductive health counselling and information and services for all adolescents;

...

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 224 and 225.

224. The Committee reiterates its concern regarding the high incidence of teenage pregnancies and the consequent high rate of abortions among girls under 18, especially illegal abortions. Furthermore, while the incidence of HIV remains low in the State party, the Committee is concerned about the lack of knowledge about HIV/AIDS among young people. The Committee welcomes, in this regard, the legislative measures taken in the area of reproductive health and HIV/AIDS prevention in 2002, such as the Reproductive Health and Human Reproductive Rights Act, the approval of the National Strategy to Combat HIV/AIDS in 2002, and the establishment of an Inter-Ministerial Council for HIV/AIDS Prevention.

225. The Committee recommends that the State party reinforce its efforts to reduce the number of teenage pregnancies and combat HIV/AIDS and other sexually transmitted diseases, including by ensuring that adolescents are provided with reproductive health education and child-friendly counselling services.

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- India, CRC, CRC/C/137 (2004) 75 at paras. 381, 411 and 412.

381. The Committee welcomes the many activities undertaken at the federal and State level for the implementation of the Convention, *inter alia*:  
...  
(b) The adoption of the 2003 amendment to the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994;  
...  
411. The Committee notes the 2003 amendment to the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, but remains deeply concerned that the sex ratio in the age group 0-6 years has worsened over the past decade.

412. In addition to its recommendations regarding gender discrimination, the Committee strongly recommends that the State party:

  - (a) Take all necessary steps to ensure the implementation of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994;
  - (b) Further develop massive awareness campaigns, involving parents, communities, law enforcement officers, etc., and take the necessary measures, including imposing sanctions to end the practice of selective abortions and female infanticide; and
  - (c) Undertake gender impact studies when planning programmes relating to economic and social policies.
- Papua New Guinea, CRC, CRC/C/137 (2004) 94 at paras. 512 and 513.

512. The Committee is concerned that insufficient attention has been given to adolescent health issues, including access to information and services related to adolescent health in general and reproductive health in particular. It is also concerned that adolescents remain extremely vulnerable to contracting sexually transmitted diseases, that girls are not protected from the risk of pregnancy and at the practice of clandestine abortions involving adolescent girls.

513. The Committee recommends that the State party undertake all necessary measures to formulate and implement adequate health policies and programmes by making available reproductive health services, including education and the promotion of safe sexual practices.
- Sao Tome and Principe, CRC, CRC/C/140 (2004) 54 at paras. 285 and 286.

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285. The Committee notes with interest the Reproductive Health Programme. However, the Committee is concerned that:

(a) Only adolescents over 16 years are able, in practice, to seek medical counselling without parental consent;

...

(c) The rate of teenage pregnancies is high;

...

286. The Committee recommends that the State party:

...

(b) Promote collaboration between State agencies and NGOs in order to establish a system of formal and informal education on HIV/AIDS and STIs, on sex education and on family planning;

...

(d) Ensure access to reproductive health counselling and information and services for all adolescents;

...

- Democratic People's Republic of Korea, CRC, CRC/C/140 (2004) 111 at paras. 561 and 562.

561. While noting that health services are free and cover all areas of the country, the Committee is concerned about increasing infant and child mortality rates, high rates of malnutrition and stunting in children, alarming increases in maternal mortality rates and due to the high rate of voluntary termination of pregnancy...

562. The Committee recommends that the State party:

...

(b) Improve accessibility to information on family planning and availability of contraceptives;

...

- Angola, CRC, CRC/C/143 (2004) 78 at paras. 421 and 422.

421. The Committee is concerned at the lack of adolescent health services and the large number of teenage pregnancies.

422. The Committee recommends that the State party pay close attention to adolescent health, taking into account the Committee's general comment No. 4 on adolescent health and

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development. In particular, the State party should strengthen sexual and reproductive health education for adolescents, including family planning measures, especially in schools and out-of-school programmes, with a view to reducing the incidence of teenage pregnancy, and provide pregnant teenage girls with the necessary assistance and access to health care and education...

- Antigua and Barbuda, CRC, CRC/C/143 (2004) 93 at paras. 505 and 506.

505. The Committee is concerned that insufficient attention has been given by the State party to adolescent health issues, including developmental, mental and reproductive health concerns. The Committee further notes with concern that the adolescent outreach project focusing on fertility and sexuality funded by the United Nations Population Fund (UNFPA) has not been sustained. The Committee is also concerned that reproductive health education is not part of the official curriculum of primary and secondary education.

506. The Committee recommends that the State party:

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the full participation of adolescents, use this as a basis to formulate adolescent health policies and programmes with a particular focus on the prevention of sexually transmitted diseases (STDs), especially through reproductive health education and child-sensitive counselling services, and taking into account the Committee's general comment No. 4 (2003) on adolescent health and development in this regard;

(b) Strengthen developmental and mental health counselling services as well as reproductive health counselling and make them known and accessible to adolescents;

(c) Take measures to incorporate reproductive health education in the school curriculum, particularly at the secondary level, in order to fully inform adolescents about their reproductive health rights and the prevention of STDs, including HIV/AIDS, and early pregnancies;

(d) Consider means of providing particular support to pregnant teenagers, including through community structures and social security benefits; and

(e) Continue to work with international agencies with expertise in health issues relating to adolescents, *inter alia* UNFPA, UNICEF and WHO.

- Albania, CRC, CRC/C/146 (2005) 19 at paras. 131 and 132.

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131. The Committee...notes the concern of the State party that abortion may still be used as a family planning method and that the abortion rates are alarmingly high.

132. The Committee recommends that the State party:

...

(d) Provide access to information on reproductive health and family planning with a view to improving the practice in these areas, including the reduction of recourse to abortion as a method of family planning;

...

- Togo, CRC, CRC/C/146 (2005) 104 at paras. 567 and 568.

567. While noting the existence of a family planning information programme, the Committee remains concerned at the large number of early pregnancies. The Committee is further concerned that this issue remains a problem for adolescents and that there is no organized system of reproductive health counselling and services, nor education on sexually transmitted infections for youth.

568. The Committee recommends that the State party develop a comprehensive policy on adolescent health that promotes collaboration between State agencies and NGOs in order to establish a system of formal and informal education on HIV/AIDS and sexually transmitted infections, and ensures access to reproductive health counselling and services for all adolescents, even when married.

- Bolivia, CRC, CRC/C/146 (2005) 121 at paras. 642 and 643.

642. The Committee is concerned about the large number of teenage pregnancies and sexually transmitted infections (STIs), as well as the lack of programmes on sexual and reproductive health...

643. The Committee recommends that the State party pay close attention to adolescent health, taking into account the Committee's general comment No. 4 (2003). In particular, the State party is encouraged to strengthen sexual and reproductive health education for adolescents, especially in schools, with a view to reducing the incidence of teenage pregnancies and STIs, and to provide teenage pregnant girls with the necessary assistance and access to health care and education...

- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 165 and 166.

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165. The Committee notes with appreciation the State party's efforts to promote adolescent health, including through implementation of the Reproductive Health Programme and a joint project on adolescent health in collaboration with the Population Commission and UNFPA. The Committee is concerned about alcohol, tobacco and drug abuse among adolescents, early pregnancies and in this respect adolescents' limited access to reproductive health counselling and accurate and objective information about, for example contraception...

166. The Committee recommends to the State party that it:

(a) Implement national policies and plans on adolescent health, such as the Reproductive Health Programme and develop new policies and plans to cover all fields of adolescent health by taking into account general comment No. 4 (2003) on adolescent health and development;

(b) Ensure access to reproductive health counselling and provide all adolescents with accurate and objective information and services in order to prevent teenage pregnancies and related abortions;

(c) Strengthen formal and informal education on sexuality, HIV/AIDS, sexually transmitted diseases and family planning;

...

- Ecuador, CRC, CRC/C/150 (2005) 91 at paras. 441 and 442.

441. The Committee remains concerned at the increasing number of teenage pregnancies and the number of very young mothers...

442. The Committee recommends that the State party pay particular attention to adolescent health, taking into account the Committee's general comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child. The Committee recommends that the State party strengthen the existing laws and programmes and in particular:

(a) Undertake measures to reduce the rate of teenage pregnancies, in particular through reproductive health education and child-sensitive counselling services;

(b) Undertake measures to reduce the rate of teenage pregnancies through, *inter alia*, the effective implementation of the Sex Education and Love Act in a gender- and child-sensitive manner;

...



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- Nicaragua, CRC, CRC/C/150 (2005) 132 at paras. 642 and 643.

642. The Committee is concerned at the high rate of teenage pregnancies and at the lack of adequate sexual and reproductive health services. In this regard, the Committee is also concerned at the information that the authorities reportedly prohibited in 2003 the publication of a manual elaborated by experts on sexual education and reproductive health (“Manual for life”).

643. In the light of the Committee’s general comment No. 4 (2003) on adolescent health and development in the context of the Convention (CRC/GC/2003/4), the Committee recommends that the State party ensure access to reproductive health services to all adolescents and immediately adopt a manual on sexual education and reproductive health which would take into account the above-mentioned general comment of the Committee.

- Costa Rica, CRC, CRC/C/150 (2005) 149 at paras. 712 and 713.

712. The Committee notes with appreciation the measures taken by the State party to implement its recommendation to develop adolescent-sensitive health policies and strengthen reproductive health education and services in order, *inter alia*, to prevent and reduce teenage pregnancies, and to enhance the prevention of substance abuse among adolescents. The Committee is concerned however that the number of teenage pregnancies remains significantly high.

713. The Committee recommends that the State party continue to strengthen reproductive health education in secondary schools such as “Young Love” to prevent teenage pregnancies. The Committee also recommends that professional and administrative staff be adequately trained in order to improve their interactions with teenage mothers.

- Yemen, CRC, CRC/C/150 (2005) 161 at paras. 785 and 786.

785. ...[T]he Committee is deeply concerned about the health situation and the fact that only 50 per cent of the population has access to health services. Particular matters of concern are:

...

(f) The high population growth rate.

786. The Committee recommends that the State party:

...

(e) Improve access to family planning involving both men and women.