



## ICPD+5 HIGHLIGHTS THURSDAY, 1 JULY 1999

ICPD+5 delegates heard statements by 54 high-level government officials on the review and appraisal of implementation of the ICPD POA in morning, afternoon and evening Plenary sessions. Representatives of UN agencies, non-governmental and intergovernmental organizations addressed the Committee of the Whole (COW) in the morning. Delegates conducted informal consultations and reached consensus on the remaining bracketed text containing proposals for key actions for further POA implementation, and reconvened in the COW to adopt a decision to submit its report to the Plenary.

### PLENARY

Participants heard statements on the overall review and appraisal of POA implementation by 54 high-level government officials, including one Vice-President, one Deputy Prime Minister, 34 Ministers or Deputy Ministers, and 18 other high-level officials. Plenary statements can be found on the Internet at: <http://www.undp.org/popin/unpopcom/32ndsess/gastatements/htm>.

### INFORMAL CONSULTATIONS

**BACKGROUND:** Delegates resumed informal consultations on paragraph 1 (summary of ICPD outcomes) and reached consensus on an amended working text, which drew from the G-77/CHINA's formulation and incorporated proposals by the US.

The agreed text replaced the original 1 with four paragraphs, which: outline ICPD POA objectives; stress the need for greater investment in health and education services for all people, particularly women; emphasize gender equality and equity and address reproductive rights; and underscore the ICPD's need to be seen as closely related to the outcome and follow-up to other major UN conferences. Delegates agreed to amend the text to state that ICPD objectives include, *inter alia*, promotion of "human development by recognizing the interrelationships between" population and development policies (G-77/CHINA), and to add "food security" to the list of population and development policies and programmes (JAPAN).

On the need for greater investment in health and education services for all people, particularly women, delegates accepted the US proposal stating that enabling "the full and equal participation of women in civil, cultural, economic, political and social life" is essential. On gender equality and equity and reproductive rights, they deleted reference to the POA affirming that women should be able to control their

fertility "with methods which are not against the law." The agreed text inserts language from POA paragraph 7.3 delineating reproductive rights. It also affirms that "the human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights."

**REPRODUCTIVE RIGHTS AND REPRODUCTIVE HEALTH: Reducing Maternal Mortality and Morbidity: On 45(e)** (abortion), delegates considered a text proposed by BRAZIL on Tuesday. Based on the G-77/CHINA's formulation, which drew from POA paragraph 8.25, Brazil's proposal: stressed that in no case should abortion be promoted as a method of family planning; urged governments and relevant organizations to deal with the health impact of unsafe abortion as a major health concern and reduce recourse to abortion through expanded and improved family planning services; urged every attempt to eliminate the need for abortion; called for provision of ready access to reliable information and compassionate counseling; stated that any measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process; stressed that, in all cases, women should have access to quality services for the management of complications arising from abortion; and called for the prompt provision of post-abortion counseling, education and family planning services. The Brazilian proposal also included elements of a US formulation, calling for review of laws containing punitive measures against women who have undergone illegal abortion, and urging health systems to train and equip health service providers and take other measures to seek to ensure that abortion is safe and accessible in circumstances where abortion is not against the law.

Consultations focused mainly on these two latter issues, in particular their compatibility with the mandate given by the General Assembly in Resolution 52/188 on the review and appraisal of POA implementation, which emphasized that existing agreements contained in the POA should not be renegotiated. A number of delegations objected to Brazil's proposal, including EGYPT, SUDAN, SENEGAL, NICARAGUA, MOROCCO, LIBYA, QATAR, GUATEMALA, MALTA, MALAYSIA, PAKISTAN and the HOLY SEE. They called for strict adherence to POA paragraph 8.25 and felt that Brazil's proposal contradicted the Cairo consensus and constituted a renegotiation of POA language. MOROCCO and ARGENTINA said the proposal constituted promotion of abortion. IRAN, POLAND, the HOLY SEE and ARGENTINA stated that it contravened the principle of respecting countries' sovereignty over their

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national legislation. SENEGAL said the text was contradictory in that it respected national legislation but called for review of national laws. He noted that the sentiment of some people that abortion is against their religious beliefs and laws has not changed in the five years since Cairo, and said there are means other than review of such laws, including education and awareness, by which abortion can be eradicated. The HOLY SEE said agreed Cairo language did not require any country to change its laws, whereas Brazil's proposal directs countries to change their existing national legislation where abortion is illegal. He reiterated that POA implementation is the sovereign right of each country, with full respect for their religious and ethical values and cultural backgrounds.

Numerous delegations supported Brazil's text, including BULGARIA, LATVIA, NAMIBIA, SOUTH AFRICA, the EU, the US, SWITZERLAND, NORWAY, PERU, CUBA, INDIA, ZAMBIA, the RUSSIAN FEDERATION, DOMINICAN REPUBLIC, TURKEY, SRI LANKA, NEPAL, VENEZUELA, ARMENIA, ANTIGUA AND BARBUDA, PARAGUAY and KAZAKHSTAN. Several speakers said the text furthered operational implementation of the POA by identifying means to fulfill the objective of protecting women's health. MEXICO argued that the text was in line with the spirit of Cairo and Beijing, both of which respect the sovereign right of each country and consistency with national laws and development priorities. NEW ZEALAND noted that all delegates joined an international consensus both in Cairo and Beijing and urged that this be reflected, as the Cairo goals cannot be implemented in isolation from other agreements. BRAZIL observed that its proposal seemed to enjoy the support of delegates. She underscored that the text was not reopening POA paragraph 8.25 and said its aim was to advance POA implementation by learning from the experiences and new findings since Cairo. She stressed that the text should encourage countries to change punitive measures while respecting national sovereignty.

Chair Chowdhury suspended the meeting to conduct informal consultations in an effort to find an acceptable compromise. The resulting text replaced 45(e) with three new paragraphs. The first and second paragraphs were a reproduction of, respectively, POA paragraphs 8.25 and 7.24. The third stated that health systems should train and equip health service providers and take other measures to ensure that such abortion is safe, and additional measures should be taken to safeguard women's health. Following LIBYA and SUDAN's objection to elements in the third paragraph, Chair Chowdhury once again suspended the meeting for further informal consultations. PAKISTAN then presented a new proposal of the third paragraph, which specifies that training and equipping health service providers should be "in circumstances where abortion is not against the law" and that the objective was to ensure that abortion is safe "and accessible." Consensus emerged around this proposal, and the entire text was accepted as amended. Reservations were expressed on the inclusion of "accessible" (ARGENTINA, NICARAGUA and the HOLY SEE) and on the absence of provision for the right of conscience of health service providers (the HOLY SEE).

With several minor amendments, delegates agreed on Thursday's "package" text containing compromise language for **13(a)** (plans to meet young people's needs), **23(a)bis** (education on population and health issues) and paragraphs **52(a)**, **(e)** and **(f)** (adolescent SRH). On **33** (removing gender gaps and inequalities in the labor market) delegates agreed to add text on instituting and enforcing legislation ensuring equal pay for equal work "or work of equal value." Delegates also agreed to amend **51bis** to provide that UNAIDS, "in accordance with its mandate," should be "provided with financial resources" to ensure a well-coordinated response from the UN system to HIV/AIDS and provide support to national programmes "particularly in developing countries."

## COMMITTEE OF THE WHOLE

The Committee of the Whole (COW) heard statements in the morning from two senior representatives and three heads of UN specialized agencies, six NGOs and one intergovernmental organization on the overall review and appraisal of the ICPD POA.

The COW reconvened in the evening to consider and adopt for transmission to the GA Plenary the agreed proposals for key actions for further POA implementation (A/S-21/2/Add.2) and the report of its work (A/S-21/AC.1/L.1).

ARGENTINA entered its reservations on, *inter alia*, the limited attention given in the report to comprehensive health and investments in education, and absence of reference to strengthening the family. He did not accept including abortion in the concept of "reproductive health" as a service or as a method of regulating fertility. NICARAGUA expressed its reservations to, *inter alia*, under-utilized methods of family planning if they include abortion or interruption of pregnancy. With ARGENTINA, he said gender as a term was acceptable if used in relation to both men and women and stressed that sex education is a parental right, role and responsibility, and said this must be respected.

Delegates decided to recommend to the Special Session the adoption of the proposals for key actions for further POA implementation, noting the reservations expressed by Argentina and Nicaragua, and adopted the COW's report.

UNFPA Executive Director Nafis Sadik stated that the POA was and continues to be a historic document and added that what has been achieved in the ICPD+5 process surpasses that. She added that she was "elated" at being able to leave this meeting with the tools to help "fulfill our promises and goals."

Joseph Chamie, Director of the DESA Population Division, noted that, based on the manner of the past week's negotiations, he had changed his speech to state that, "with due respect to the rights, duties and responsibilities of delegates and consistent with their evolving capacities, where applicable, in matters which are not against the law, and with new and additional resources, according to internationally recognized standards, we in the UN agencies will do our best to serve."

The G-77/CHINA, the EU, NICARAGUA, the HOLY SEE, LIBYA and the US thanked Chair Chowdhury for his successful stewardship of the PrepCom and the COW. Chair Chowdhury thanked delegates, noting that the outcome had only been possible because of their dedication and hard work, with the support of the Bureau and the Secretariat, and brought the COW to a close at 10:30 pm.

## IN THE CORRIDORS

A sense of relief and satisfaction swept through the corridors late Thursday night following eleventh-hour agreement on the paragraph on abortion after a day of lengthy and difficult negotiations. Earlier in the day's negotiations, the hopes of many were quashed after attempts to introduce language from the Beijing Platform for Action and the consensus reverted to reproduction of POA language for most of the paragraph. But with consensus on additional language calling for measures to ensure safe "and accessible" abortion, delegates felt they had finally achieved an outcome which gave meaningful recognition to the shift in thinking on this critical issue since Cairo.

## THINGS TO LOOK FOR TODAY

**PLENARY:** Delegates will convene at 10:00 am in the General Assembly Hall to hear statements from 61 high-level officials on the overall review and appraisal of POA implementation. The Plenary will also consider the reports of the Credentials Committee and the *Ad Hoc* Committee of the Whole, and adopt the final document of the Special Session.