Multisector human rights collaboration in the global fight to end obstetric violence

Caitlin R. Williams & Benjamin Mason Meier

October 27, 2020

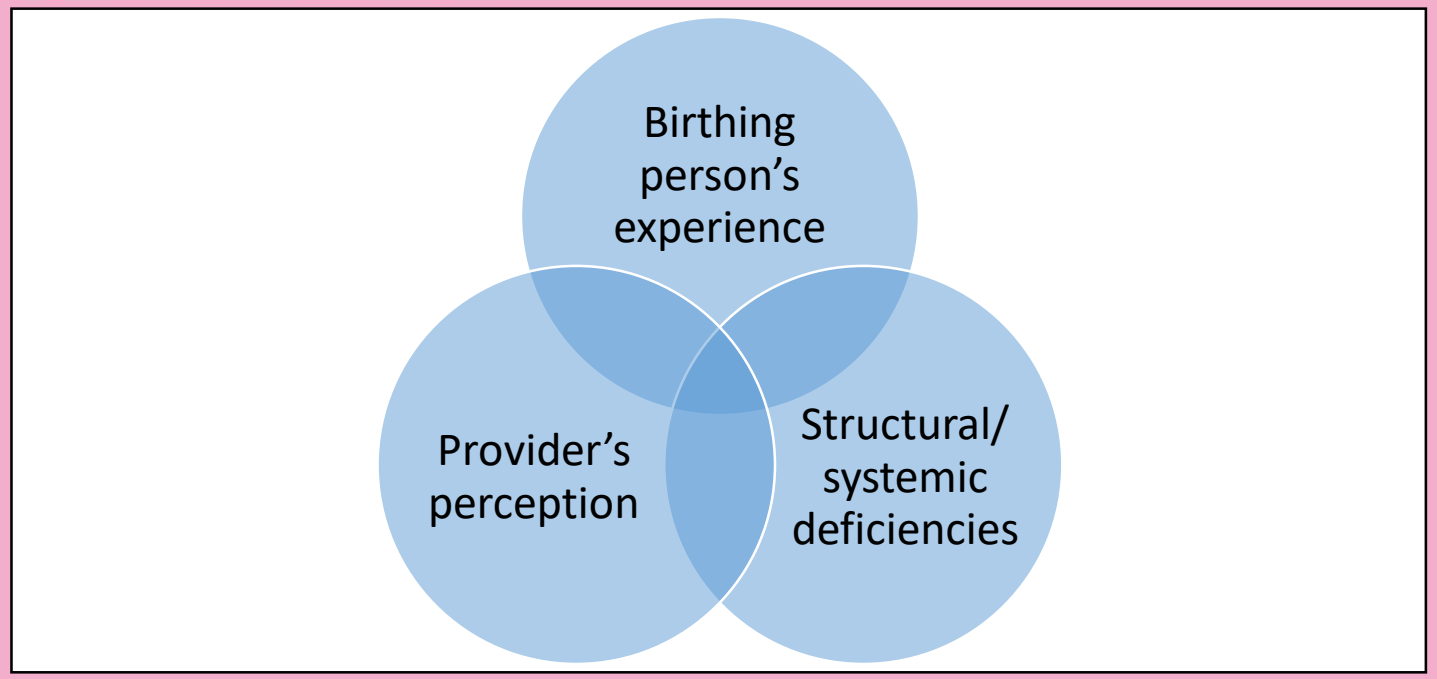
Presenter Disclosures

Caitlin R. Williams and Benjamin Mason Meier

(1) The following personal financial relationships with commercial interests relevant to this presentation existed during the past 12 months:

No relationships to disclose

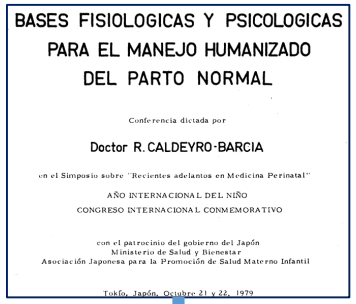
IMPROVE MATERNAL HEALTH



5 MDG

Extent of the problem

Evolving response in Latin America



BASES FISIOLOGICAS Y PSICOLOGICAS
PARA EL MANEJO HUMANIZADO
DEL PARTO NORMAL

Conferencia dictada por

Doctor R. CALDEYRO-BARCIA

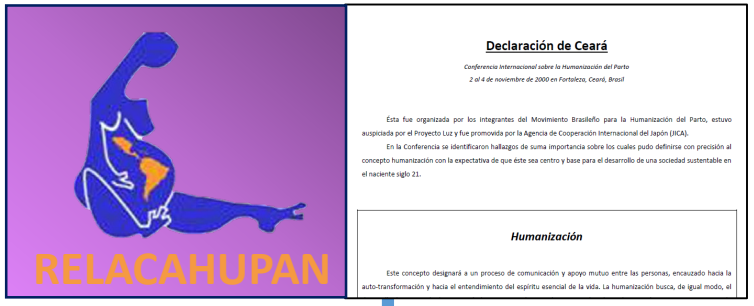
en el Simposio sobre "Recientes adelantos en Medicina Perinatal"

AÑO INTERNACIONAL DEL NIÑO
CONGRESO INTERNACIONAL CONMEMORATIVO

con el patrocinio del gobierno del Japón
Ministerio de Salud y Bienestar
Asociación Japonesa para la Promoción de Salud Materno Infantil

Tokio, Japón, Octubre 21 y 22, 1979

1979



Declaración de Ceará

Conferencia Internacional sobre la Humanización del Parto
2 al 4 de noviembre de 2000 en Fortaleza, Ceará, Brasil

Ésta fue organizada por los integrantes del Movimiento Brasileño para la Humanización del Parto, estuvo auspiciada por el Proyecto Luz y fue promovida por la Agencia de Cooperación Internacional del Japón (JICA).

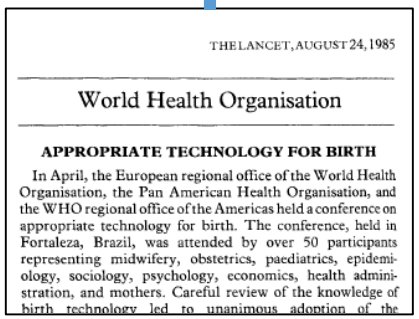
En la Conferencia se identificaron hallazgos de suma importancia sobre los cuales pudo definirse con precisión al concepto humanización con la expectativa de que éste sea centro y base para el desarrollo de una sociedad sustentable en el naciente siglo 21.

Humanización

Este concepto designará a un proceso de comunicación y apoyo mutuo entre las personas, encauzado hacia la auto-transformación y hacia el entendimiento del espíritu esencial de la vida. La humanización busca, de igual modo, el

2000

1985



THE LANCET, AUGUST 24, 1985

World Health Organisation

APPROPRIATE TECHNOLOGY FOR BIRTH

In April, the European regional office of the World Health Organisation, the Pan American Health Organisation, and the WHO regional office of the Americas held a conference on appropriate technology for birth. The conference, held in Fortaleza, Brazil, was attended by over 50 participants representing midwifery, obstetrics, paediatrics, epidemiology, sociology, psychology, economics, health administration, and mothers. Careful review of the knowledge of birth technology led to unanimous adoption of the

Early 2000's

BJOG An International Journal of Obstetrics and Gynaecology

Commentary

Obstetric violence: a Latin American legal response to mistreatment during childbirth

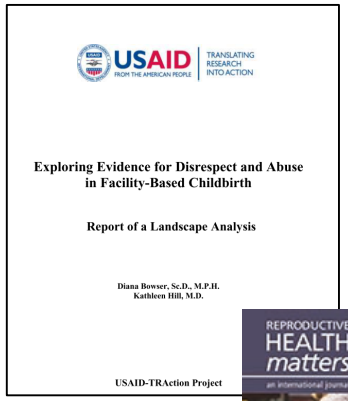
CR Williams,[a] C Jerez,[b] K Klein,[c] M Correa,[c] JM Belizán,[c] G Cormick[c,d]

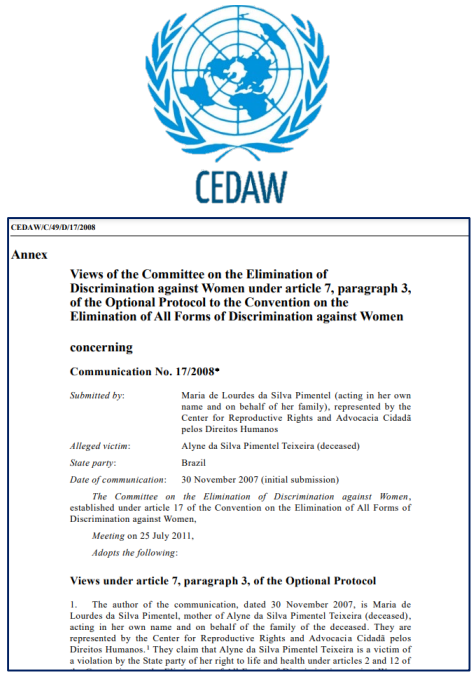
Table 1. Latin American countries with laws concerning obstetric violence

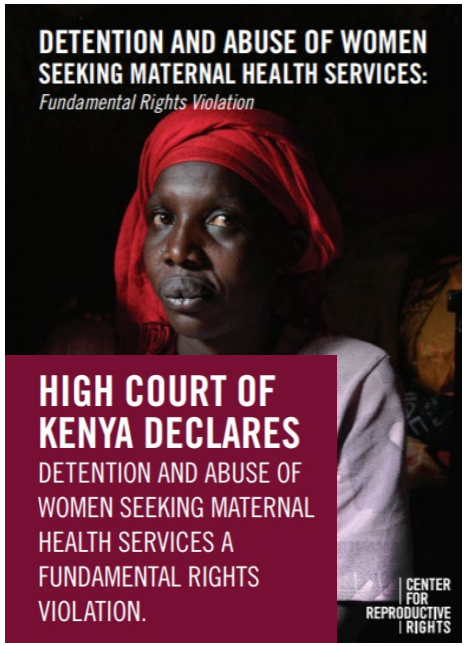
Country	Year	Summary of legal rights
Venezuela (Bolivarian Republic of)[17]	2007	**Law Number 38,668, Articles 15.11 and 51** Defines obstetric violence as the 'appropriation of women's bodies and reproductive processes by health professionals, expressed as dehumanizing treatment and/or abusive medicalization and pathologization of natural processes, resulting in loss of autonomy and the capacity to decide freely about their own bodies and sexuality, negatively impacting women's quality of life.' Provides specific examples of actions that constitute obstetric violence, including failing to provide timely and effective care during obstetric emergencies, intervening to accelerate labour without the woman's express voluntary informed consent, and performing a nonmedically indicated caesarean section without the women's express voluntary informed consent.
Argentina[18]	2009	**Law Number 26,485, Article 6** Defines obstetric violence as 'exercised by health personnel over a woman's body and reproductive processes, expressed as dehumanizing treatment, and/or abusive over-medicalization and medicalization of the natural processes, in conformity with Law 25,929.' Guarantees a woman the right to be treated as a healthy, informed, decision-making participant in her own labour, delivery and postpartum period; to have a natural birth that respects her timing and natural processes; to be

Evolving response globally

Evidence → Complaints → Litigation → Transnational organization

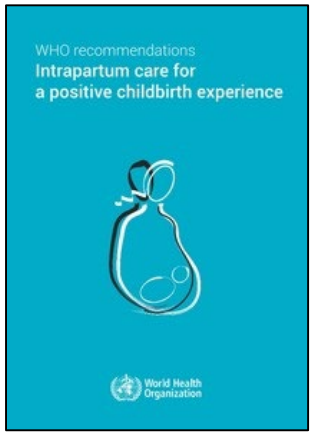


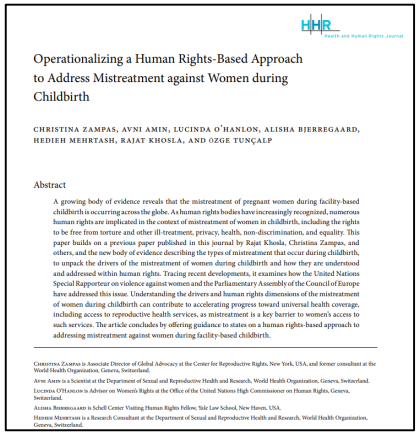




Global Governance

WHO





Operationalizing a Human Rights-Based Approach to Address Mistreatment against Women during Childbirth

CHRISTINA ZAMPAS, AVNI AMIN, LUCINDA O'HANLON, ALISHA BJERREGAARD, HEDIEH MEHRTASH, RAJAT KHOSLA, AND ÖZGE TUNÇALP

Abstract

A growing body of evidence reveals that the mistreatment of pregnant women during facility-based childbirth is occurring across the globe. As human rights bodies have increasingly recognized, numerous human rights are implicated in the context of mistreatment of women in childbirth, including the rights to be free from torture and other ill-treatment, privacy, health, non-discrimination, and equality. This paper builds on a previous paper published in this journal by Rajat Khosla, Christina Zampas, and others, and the new body of evidence describing the types of mistreatment that occur during childbirth, to unpack the drivers of the mistreatment of women during childbirth and how they are understood and addressed within human rights. Tracing recent developments, it examines how the United Nations Special Rapporteur on violence against women and the Parliamentary Assembly of the Council of Europe have addressed this issue. Understanding the drivers and human rights dimensions of the mistreatment of women during childbirth can contribute to accelerating progress toward universal health coverage, including access to reproductive health services, as mistreatment is a key barrier to women's access to such services. The article concludes by offering guidance to states on a human rights-based approach to addressing mistreatment against women during facility-based childbirth.

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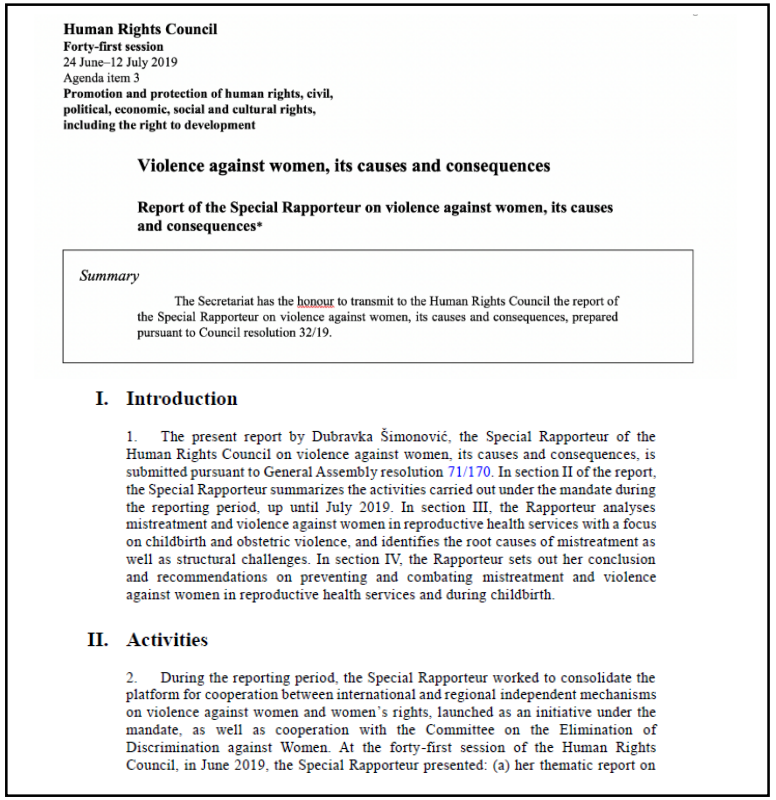
UN Human Rights System



Human Rights Council
Forty-first session
24 June–12 July 2019
Agenda item 3
Promotion and protection of human rights, civil, political, economic, social and cultural rights, including the right to development

Violence against women, its causes and consequences

Report of the Special Rapporteur on violence against women, its causes and consequences*

Summary

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on violence against women, its causes and consequences, prepared pursuant to Council resolution 32/19.

I. Introduction

1. The present report by Dubravka Šimonović, the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences, is submitted pursuant to General Assembly resolution 71/170. In section II of the report, the Special Rapporteur summarizes the activities carried out under the mandate during the reporting period, up until July 2019. In section III, the Rapporteur analyses mistreatment and violence against women in reproductive health services with a focus on childbirth and obstetric violence, and identifies the root causes of mistreatment as well as structural challenges. In section IV, the Rapporteur sets out her conclusion and recommendations on preventing and combating mistreatment and violence against women in reproductive health services and during childbirth.

II. Activities

2. During the reporting period, the Special Rapporteur worked to consolidate the platform for cooperation between international and regional independent mechanisms on violence against women and women's rights, launched as an initiative under the mandate, as well as cooperation with the Committee on the Elimination of Discrimination against Women. At the forty-first session of the Human Rights Council, in June 2019, the Special Rapporteur presented: (a) her thematic report on

European Parliament

Bringing together health & human rights

Health and human rights can work together to foster accountability

Implementing human rights through domestic policy, programs, and practice

Accountability for implementation through transnational advocacy

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References

- "Access to maternal health and midwifery for vulnerable groups in the EU: Women's Rights and Gender Equality." Policy Department for Citizens' Rights and Constitutional Affairs (2019). https://www.europarl.europa.eu/RegData/etudes/STUD/2019/608874/IPOL_STU(2019)608874_EN.pdf.
- "Alyne v. Brazil: Case of Alyne da Silva Pimentel Teixeira ("Alyne") v. Brazil." Center for Reproductive Rights (2014). https://www.reproductiverights.org/document/Alyne-v-Brazil-Case-of-Alyne-da-Silva-Pimentel-Teixeira-v-Brazil.
- "Detention and Abuse of Women Seeking Maternal Health Services." Center for Reproductive Rights (2017). https://www.reproductiverights.org/document/detention-and-abuse-of-women-seeking-maternal-health-services.
- Abuya, Timothy, Charlotte E. Warren, Nora Miller, Rebecca Njuki, Charity Ndwiga, Alice Maranga, Faith Mbehero, Anne Njeru, and Ben Bellows. "Exploring the Prevalence of Disrespect and Abuse during Childbirth in Kenya." Edited by David W. Dowdy. PLOS ONE 10, no. 4 (April 17, 2015): e0123606. https://doi.org/10.1371/journal.pone.0123606
- Bohren et al 2020 https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)31542-7/fulltext
- Bohren, Meghan A., Joshua P. Vogel, Erin C. Hunter, Olha Lutsiv, Suprita K. Makh, Joã Paulo Souza, Carolina Aguiar, Fernando Saraiva Coneglian, Alex Luíz, Araújo Siniz, Ozge Tuncalp, Dena Javadi, Olufemi T. Oladapo, Rajat Khosla, Michelle J. Hindin, A. Metin Gulmezoglu. 'The Mistreatment of Women during Childbirth in Health Facilities Globally : A Mixed-Methods Systematic Review,' Edited by Rachel Jewkes, PLOS Medicine. (2015) ; 12:6.
- Bowser, Diana, and Kathleen Hill. "Exploring Evidence for Disrespect and Abuse in Facility-Based Childbirth: Report of a Landscape Analysis," 2010. https://doi.org/10.1624/105812410X514413.
- Castro A, Savage V, Kaufman H. Assessing equitable care for indigenous and afrodescendant women in Latin America. Rev Panam Salud Pública [Internet]. 2015;38(2):96–109. Available from: http://www.scielosp.org/scielo.php?script=sci%7B_%7Darttext%7B&%7Dpid=S1020-49892015000700002%7B&%7Dlang=pt;
- Diniz, Simone Grilo, Heloisa De Oliveira Salgado, Halana Faria, and De Aguiar Andrezzo. "Abuse and Disrespect in Childbirth Care as a Public Health Issue in Brazil: Origins, Definitions, Impacts on Maternal Health, and Proposals for Its Prevention." Journal of Human Growth and Development 25, no. 3 (2015): 377–84.
- Freedman, Lynn P., and Margaret E Kruk. "Disrespect and abuse of women in childbirth: challenging the global quality and accountability agenda". The Lancet (2014); 384:9948. https://doi.org/10.1016/S0140-6736(14)60859-X.
- Kholsa, Rajat, et. al. "International Human Rights and the Mistreatment of Women During Childbirth." Health and Human Rights Journal (2016); 18(2), pp. 131-143.

References

- Okafor, Innocent I., Emmanuel O. Ugwu, and Samuel N. Obi. "Disrespect and Abuse during Facility-Based Childbirth in a Low-Income Country." In *International Journal of Gynecology and Obstetrics*, Vol. 128, 2014. https://doi.org/10.1016/j.ijgo.2014.08.015.;
- Raj A, Dey A, Boyce S, Seth A, Bora S, Chandurkar D, et al. Associations between mistreatment by a provider during childbirth and maternal health complications in Uttar Pradesh, India. Matern Child Health J. 2017;0(0):1–13.
- Ratcliffe, Hannah L., David Sando, Goodluck Willey Lyatuu, Faida Emil, Mary Mwanyika-Sando, Guerino Chalamilla, Ana Langer, and Kathleen P. McDonald. "Mitigating disrespect and abuse during childbirth in Tanzania: an exploratory study of the effects of two facility-based intervention in a large public hospital." *Reproductive Health*. (2015) 13:79, 2015. DOI: 10.1186/s12978-016-0187-z
- Sando, David, Tamil Kendall, Goodluck Lyatuu, Hannah Ratcliffe, Kathleen McDonald, Mary Mwanyika-Sando, Faida Emil, Guerino Chalamilla, and Ana Langer. "Disrespect and Abuse during Childbirth in Tanzania: Are Women Living with HIV More Vulnerable?" *Journal of Acquired Immune Deficiency Syndromes (1999)* 67 Suppl 4 (2014). https://doi.org/10.1097/QAI.0000000000000378.
- Sando, David., Timothy Abuya, Anteneh Asefa, Kathleen P. Banks, Lynn P. Freedman, Stephanie Kujawski, Amanda Markovitz, Charity Ndwiga, Kate Ramsey, Hannah Ratcliffe, Emmanuel O. Ugwu, Charlotte E. Warren, and R. Rima Jolivet. "Methods used in prevalence studies of disrespect and abuse during facility based childbirth: lessons learned." *Reproductive Health. (2017);* 14:127, pp. 1-18.
- Sidney, Kristi, Vishal Diwan, Ziad El-Khatib, and Ayesha de Costa. "India's JSY cash transfer program for maternal health: Who participates and who doesn't – a report from Ujjain district. *Reproductive Health*. (2012); 9:2, pp. 1-7. https://reproductive-health-journal.biomedcentral.com/articles/10.1186/1742-4755-9-2.
- WHO recommendations for positive intrapartum care experience, 2018
- Williams, Caitlin R and Benjamin Mason Meier. "Ending the abuse: the human rights implications of obstetric violence and the promise of rights-based policy to realise respectful maternity care." *Sexual and Reproductive Health Matters* (2019); 27:1. https://doi.org/10.1080/26410397.2019.1691899
- Williams, Cr., C Jerez, K Klein, M Correa, JM Belízan, G Cormick. "Obstetric Violence: a Latin American legal response to mistreatment during childbirth." *An International Journal of Obstetrics and Gynaecology* (2018).
- Zampas, Christina, et. al., "Operationalizaing a Human Rights-Based Approach to Address Mistreatment against Women during Childbirth." *Health and Human Rights Journal* (2020); 22:1.