

# Asylum seekers in the Netherlands; sexual and reproductive health rights

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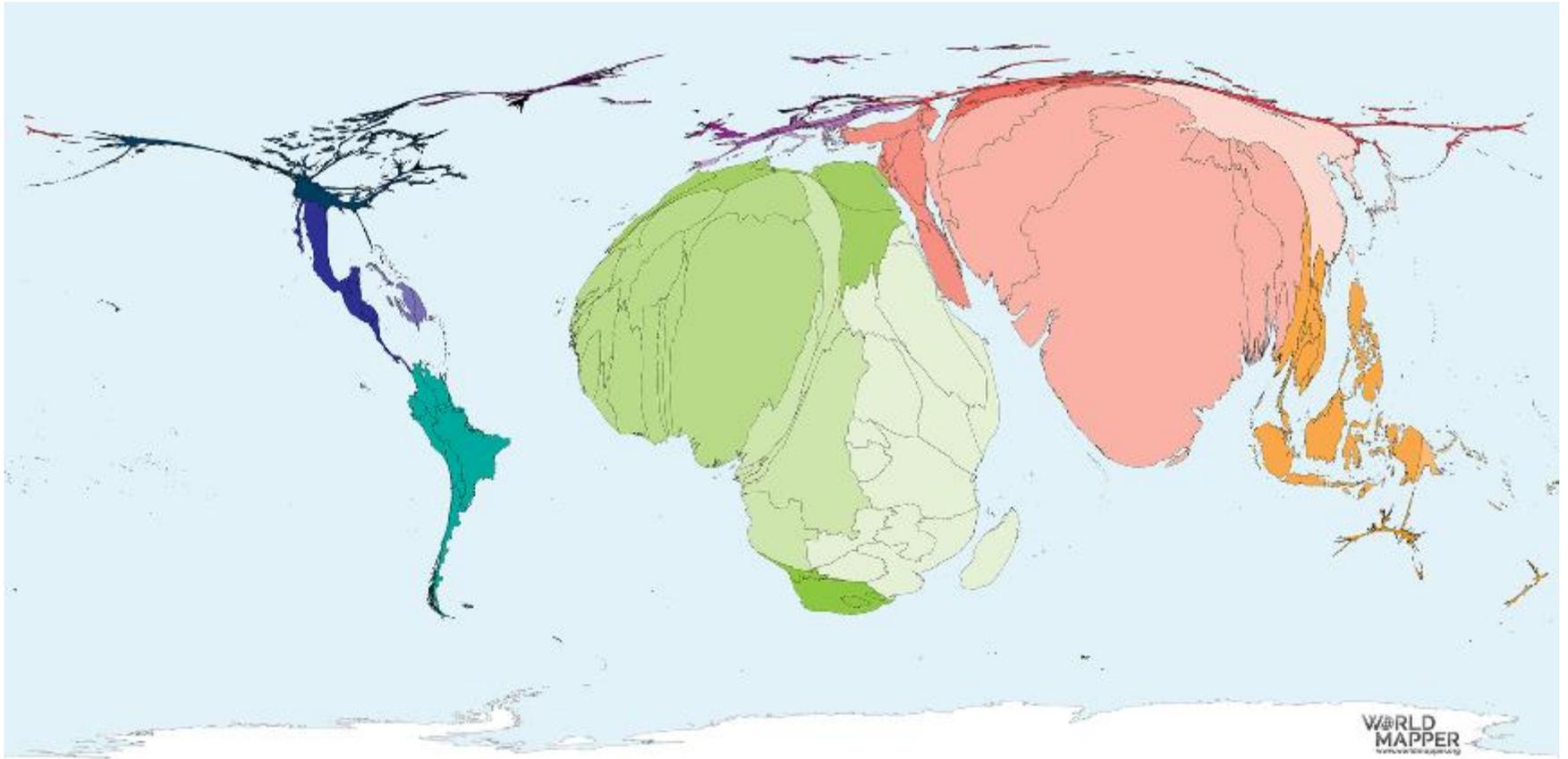
**rijksuniversiteit  
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Motherhood  
& Reproductive  
Health**

**mcl**  
medisch centrum  
leeuwarden

# Neonatal deaths globally



# Differences between and within countries

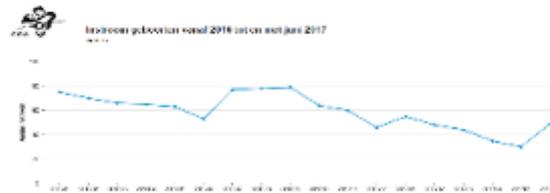


**Multidisciplinary antenatal care for women with mental health problems; mode and outcome of birth.**

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## Births in asylum seekers in the Netherlands

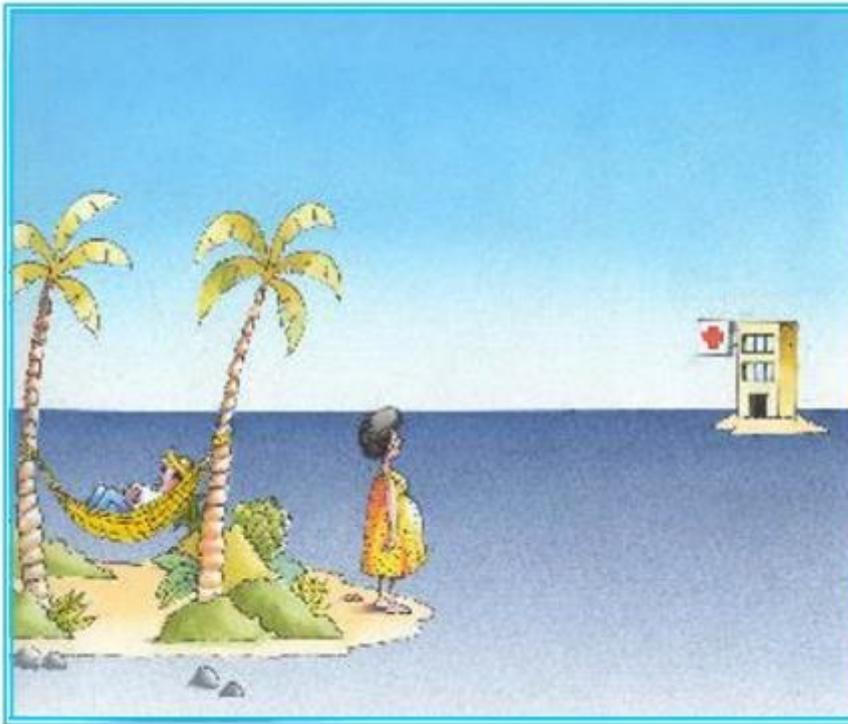
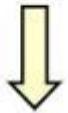


Retrospective database study - Ter Apel, Jan 2012- Dec 2016, eerste en tweedelij  
 NewLife midwifery practice and Refaja hospital, Stadskanaal  
 Asylum seekers (N=345), Local population (N=2342)

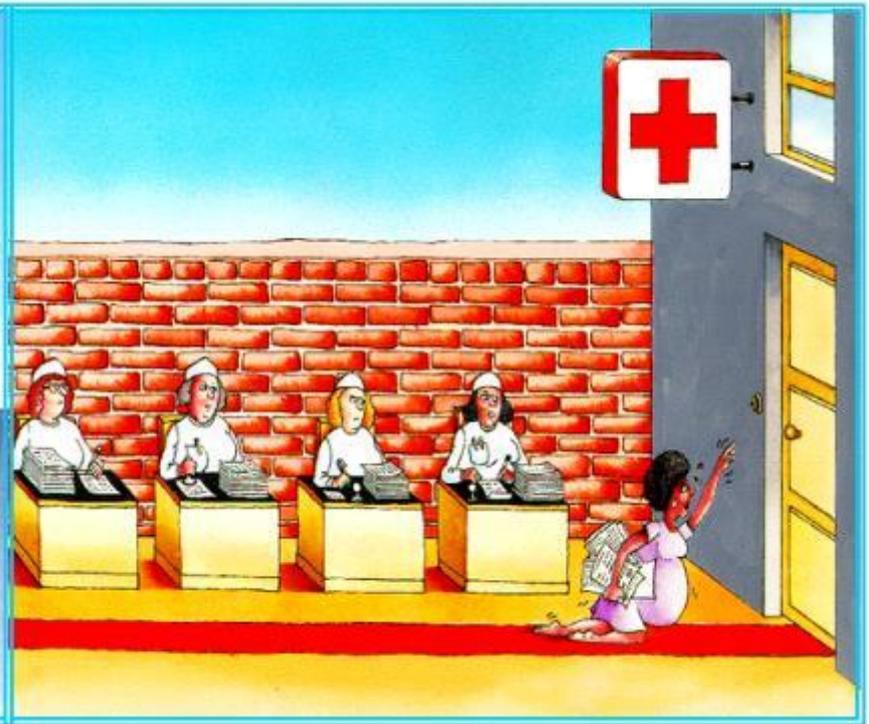
* Perinatal mortality	12/345 (3.5%) vs 15/2342 (0.6%)
* SGA-kinderen	41/345 (14%)   vs 172/2342 (8%)



Recognition



Referral



Responsiveness



# Worse maternal and neonatal outcome of pregnancy in asylum seekers in the Netherlands

- What does that mean?
- Does everybody have the same right to get a healthy baby?
- How should we respond?



# Contents

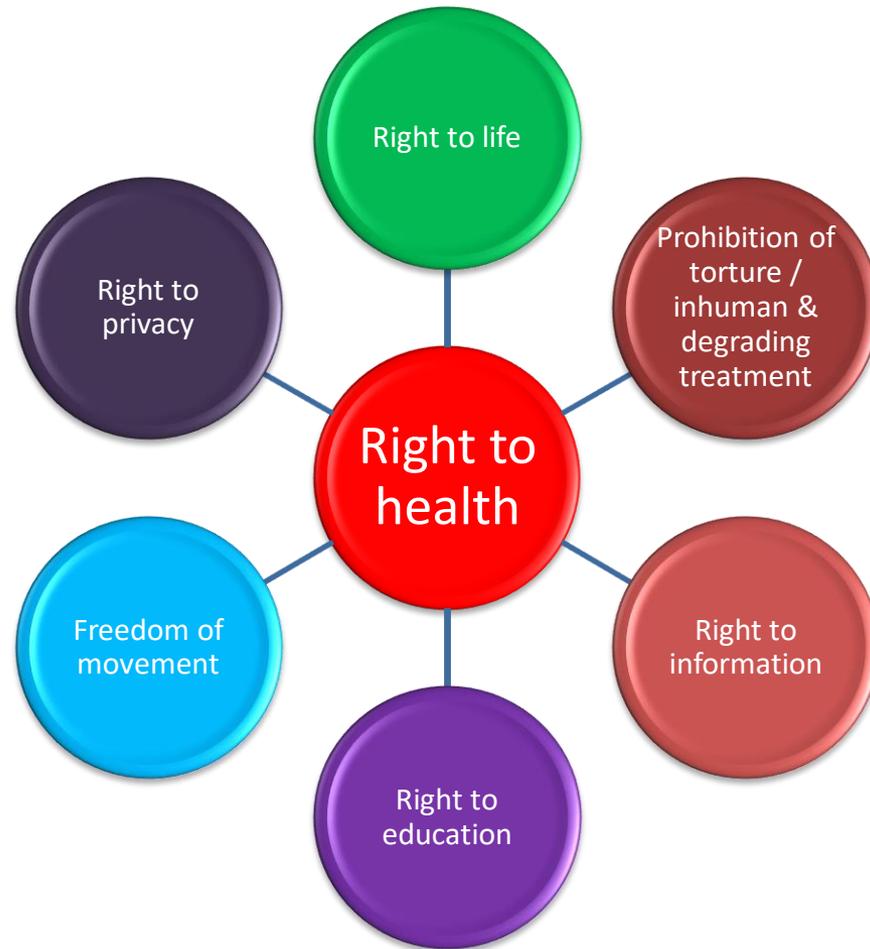
- Human rights (general)
- The right to health
- Reproductive and sexual health rights
- Freedoms and entitlements
- What does this all mean?

# Nature of human rights

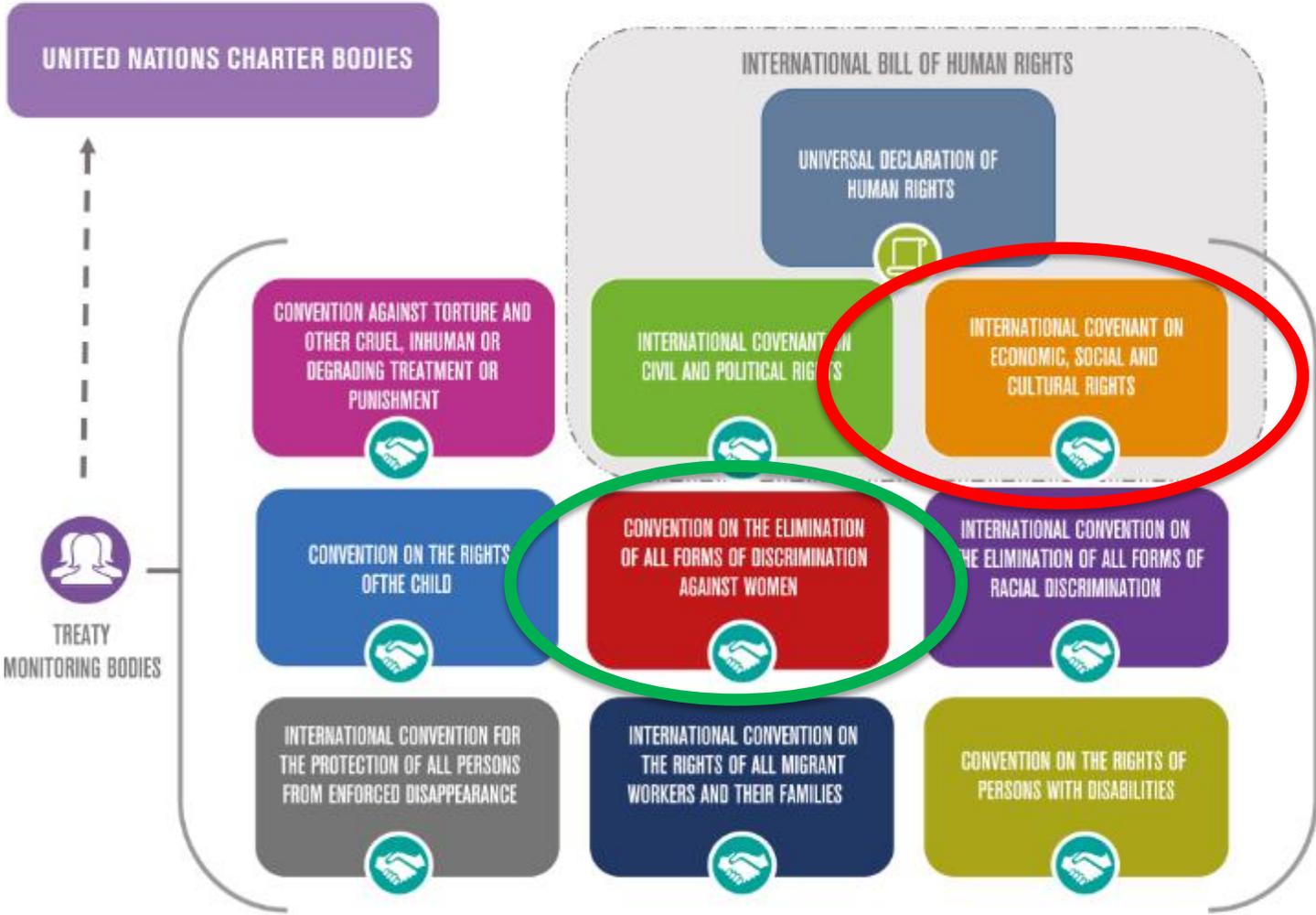
- Core principle: human dignity
- Many different rights – examples
- Rights of individuals versus their government
- Governments should respect, protect and fulfil



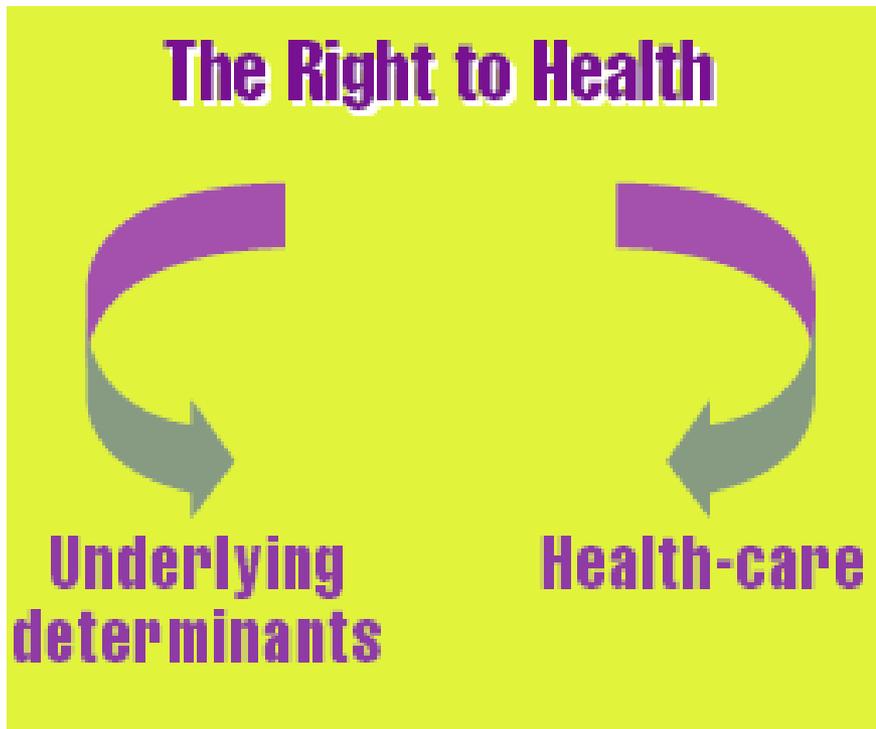
# Which human rights?



# INTRODUCTION TO THE UNITED NATIONS HUMAN RIGHTS TREATIES



# What is the right to health?



- Availability
- Accessibility
  - Non-discrimination*
  - Physical accessibility*
  - Affordability*
  - Information accessibility*
- Acceptability
- Quality

# First expression of the right to health (WHO 1946)

*Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.*

*The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition (...)"*

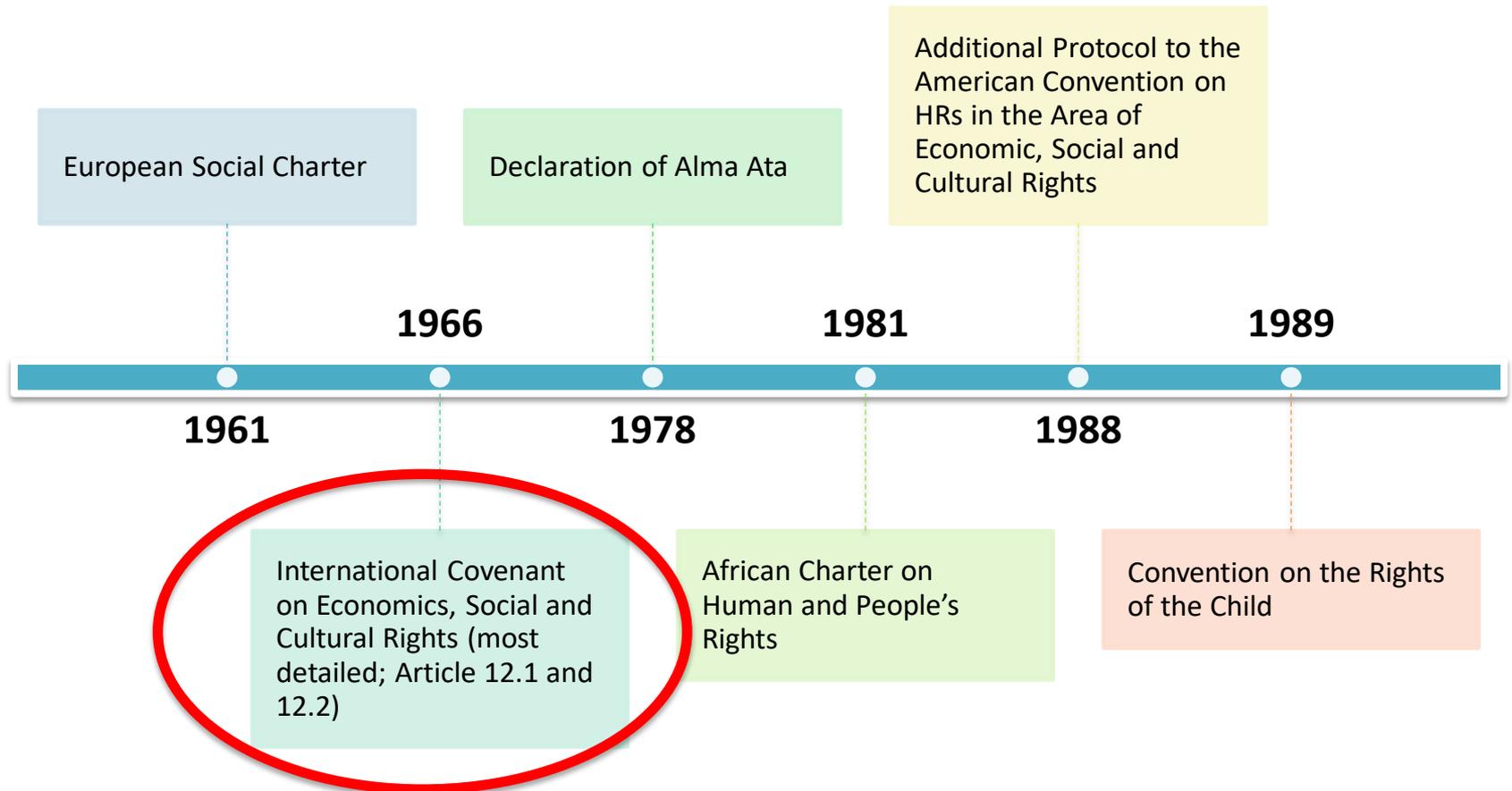
The right to the highest attainable standard of health = "Right to Health"

# Universal Declaration of Human Rights (1948)

Art.25.1

*“Everyone has the right to a standard of living adequate for the health of himself and of his family, including food, clothing, housing and medical care and necessary social services”*

# The "Right to Health" is also recognized in:



# International Covenant on Economics, Social and Cultural Rights (ratified by 157 countries)

Legally binding

Article 12 recognizes the

- *“right of everyone to the enjoyment of the highest attainable standard of physical and mental health”*

Article 12.2 illustrates a number of

- *steps to be taken by States parties to achieve:*
  - **a. maternal, child and reproductive health**
  - **b. healthy natural and workplace environments**
  - **c. prevention, treatment and control of disease**
  - **d. health facilities, goods and services**

# Violations

*“right of everyone to the enjoyment of the highest attainable standard of physical and mental health”*

**Important: distinguish inability from unwillingness of the State**

# Beijing (1995) added:

“The human rights of women include the right to have control over and decide freely and responsibly in matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence. Equal relationships between women and men in matters of sexual relations and reproduction, including full respect for the integrity of the person, require mutual respect, consent and shared responsibility for sexual behavior and its consequences.”

*Source:* Beijing Platform for Action  
(A/CONF.177/20/Rev.1/chap1, sect1, para 96)

Reproductive health and sexual health are intimately related, but distinct dimensions of human well-being.

# Freedoms and entitlements (1)

Freedom to control one's own body:

- 
- 

Freedom from discrimination and stigma:

- 
- 

**Alleged sexual assault of asylum seeker children detailed by detention staff**

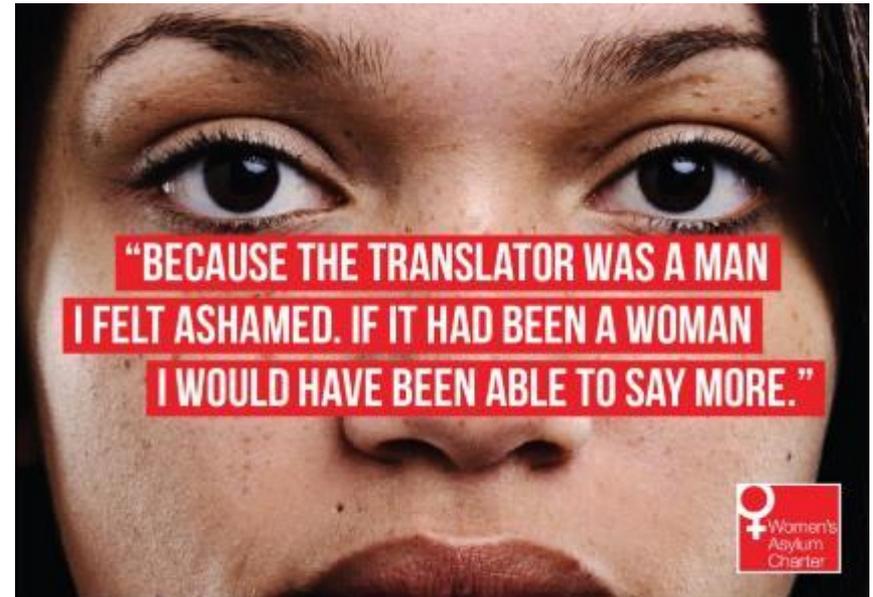


# Freedoms and entitlements (2)

## Entitlements to:

A system of health protection,  
without discrimination

Reproductive, maternal and  
child health care services



# SRHR – Where are we now?

- Health is human right
- SRHR are part of the right to health
- Freedoms and entitlements
- Respect, protect, fulfil
- Provision of services, goods and facilities for SRH – 3A+Q

# Where are we in NL

- Policies in NL are in correspondence, in line with most international treaties and generous
- Problems and challenges arise in practice
  - communication
  - culture
  - language
  - knowledge
  - specific diseases

*"Here they depend on what you like and want them to offer [...] In our Arabic society, we are used to the fact that the physician guides us. The patient doesn't know what is better to do."*

B, 30 years

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B, 30 years

Thanks for your attention!



***“the right to the progressive realization of the highest attainable standard of health”***

