

The Holy See on sexual and reproductive health rights: conservative in position, dynamic in response

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Abstract: *The Holy See has engaged extensively in United Nations negotiations on issues concerning sexual and reproductive health rights as they have emerged and evolved in a dynamic global agenda over the past two decades. A meta-narrative review of the mission's official statements was conducted to examine the positions, discourses and tensions across the broad range of agendas. The Holy See represents a fundamentally conservative and stable position on a range of sexual and reproductive health rights concerns. However, the mission has been dynamic in the ways in which it has forwarded its arguments, increasingly relying upon secularised technical claims and empirical evidence; strategically interpreting human rights norms in ways consistent with its own position; and framing sexuality and reproduction in the context of "the family". Seen in the broader context of a "religious resurgence" in international relations, and in light of the fact that the Holy See has frequently sought to form alliances with conservative State and non-State actors, these findings make an important contribution to understanding the slow progress as well as the potential obstacles that lie ahead in the battle to realise sexual and reproductive health rights in a changing global political environment. © 2014 Reproductive Health Matters*

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Sexual and reproductive health rights encompass the right to information, services, education, freedom of expression and freedom from discrimination and violence. Building on the landmark agreements of the International Conference on Population and Development (ICPD) in Cairo, 1994 and the Fourth World Conference on Women (FWCW) in Beijing, 1995 advocates have worked to realise and expand international commitments on sexual and reproductive rights. But the omission of an explicit reproductive health objective in the original Millennium Development Goals has prompted unprecedented advocacy for sexual and reproductive rights in the lead up to the 20th Anniversary of the ICPD and the finalisation of the post-2015 development goals. Yet despite over twenty years of activism and the range of international agreements and commitments, there is concern that there is still no *globally recognised* articulation of sexual and reproductive health

rights.* This stagnation in the realisation and clear articulation of sexual and reproductive health rights in international law is a product of the complexities of international law, and the divergence of competing ideologies held by key stakeholders engaged in the global public policy process.

One of those key stakeholders is the Holy See, widely known as the sovereign entity governing the universal Catholic Church and Vatican City State and which, according to Canon Law "refers not only

*The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979 outlined the need for equality between men and women in access to family planning information and advice (Art 10,h) and in access to health care services, including family planning (Art 12,1). Whilst important, the authors consider the CEDAW to be a foundational achievement rather than an explicit articulation of sexual and reproductive health as human rights in themselves.

to the Roman Pontiff but also to the Secretariat of State, the Council for the Public Affairs of the Church, and other institutes of the Roman Curia.”¹ Using the privileges afforded by its status as a Non-member Permanent Observer, the Holy See has emerged as an engaged, influential and strategic actor at the historically secular United Nations (UN). This has occurred in the broader context of what Haynes and others have called a post-Cold War “religious resurgence”, characterised by a proliferation of faith-based actors in international relations, creating a greater platform for socially conservative views in global public policy.^{2,3}

This paper examines the Holy See’s positions, discourse and tensions on a broad range of

agendas concerning sexual and reproductive health rights, as evidenced by the missions’ official statements delivered at key UN documented forums – from the ICPD in 1994 to recent statements made in April 2014 (Table 1). The research draws its evidence directly from the statements of the Permanent Observers of the Holy See in the UN. One of the constraints on this form of research is the nature of these statements – carefully crafted positions that have been purposively located within the diplomatic rhetoric of the UN, often drawing on UN precedent to justify their perspectives. These may lack the drama of less formal (and formulaic) discourse in other contexts, but their potential to shape the future of sexual and reproductive health rights is

Table 1. Thematic grouping of key United Nations processes and bodies dealing with sexual and reproductive health rights

Key UN processes	UN bodies
1) Social development & poverty eradication <ul style="list-style-type: none"> World Summit for Social Development (Copenhagen, 1995) World Program of Action for Youth (1995) Millennium Development Goals (MDGs) (2000–2015) Review, Implementation and Anniversary meetings (World Summit 2005) HIV Commitment & Political Declaration Post–2015 goals – in progress 	<ul style="list-style-type: none"> Commission on Social Development (ECOSOC) General Assembly High Level Panel on Millennium Development Goals High Level Panel on Post–2015 Goals
2) Sustainable development <ul style="list-style-type: none"> Conferences on Environment and Development (Rio, 1992; Johannesburg, 2002; Rio, 2012) Post–2015 goals – in progress 	<ul style="list-style-type: none"> Commission on Sustainable Development (ECOSOC) General Assembly Open Working Groups on Sustainable Development
3) Population & development <ul style="list-style-type: none"> ICPD (Cairo, 1994) ICPD Review, Implementation and Anniversary meetings 	<ul style="list-style-type: none"> Commission on Population and Development (ECOSOC) General Assembly
4) Advancement of women <ul style="list-style-type: none"> Fourth World Conference on Women (FWCW) (Beijing, 1995) FWCW Review, Implementation and Anniversary meetings Resolutions on supporting efforts to end obstetric fistula 	<ul style="list-style-type: none"> Commission on the Status of Women (ECOSOC) General Assembly
5) Human rights <ul style="list-style-type: none"> Convention on the Rights of the Child (1989): Review/Implementations sessions Convention on the Rights of Persons with Disabilities (2006) Report of Special Rapporteurs on: <ul style="list-style-type: none"> Violence Against Women The right to highest attainable standard of physical and mental health The right to education 	<ul style="list-style-type: none"> Human Rights Council Committee on CRC Special Rapporteurs
6) Security <ul style="list-style-type: none"> Resolutions on Sexual Violence in Conflict 	<ul style="list-style-type: none"> Security Council

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