

# FORCED STERILIZATION

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## A GLOBAL HUMAN RIGHTS PROBLEM

*The empowerment and equality of women and girls depends on respect for their autonomy and dignity. Forced sterilization is a permanent, irreparable violation of these principles. Through their regulation or administration of health services and the justice system, public authorities can ensure that women and girls are never sterilized without their free, prior, and informed consent.*

### AFFECTING GENERATIONS PAST + PRESENT

Around the world, women and girls continue to be permanently sterilized without their informed consent, including by public healthcare providers. Indigenous women, women with HIV/AIDS, and women with disabilities, among others, are at particular risk. For example, many Indigenous women in Canada came forward in 2017 and 2018 to report having been forcibly sterilized, as recently as in December 2018. While government-approved eugenics programs and forced sterilizations in "Indian hospitals" ended decades ago, it is clear that the involuntary, disproportionate, and discriminatory sterilization of Indigenous women persists. These women represent yet another generation immeasurably harmed and further marginalized by this traumatizing practice.

### A MULTIPLE HUMAN RIGHTS VIOLATION

Forced sterilization can constitute an act of genocide, gender-based violence, discrimination, and torture. When performed without informed consent, sterilization violates an individual's rights to dignity, humane treatment, health, family, information, privacy, and to freely decide the number and spacing of children. From the Inter-American Court of Human Rights to the UN Special Rapporteur on torture to the Committee on the Elimination of Discrimination Against Women, experts agree that forced sterilization is a multiple human rights violation.

### PREVENTION, PROTECTION + REDRESS

International human rights law requires States to act with due diligence to prevent forced sterilization, protect victims, and provide access to a remedy. This means that States must put in place measures to ensure compliance with the principle of informed consent, including through training, safeguards, regulation, and oversight of healthcare providers. Government authorities must also diligently investigate all allegations of forced sterilization, put in place laws and policies to dissuade and punish this practice, prosecute those responsible, and guarantee victims access to compensation and other forms of redress.

### RECOMMENDATIONS

- Collect, and make public, data on the incidence of sterilization, including by ethnicity and other indicators;
- Criminalize forced sterilization at the national level;
- Ensure appropriate training for healthcare professionals on informed consent and human rights;
- Mandate the consistent adoption, implementation, and documentation of informed consent procedures;
- Provide law enforcement and medical licensing boards with the resources, training, and guidance necessary to investigate reported instances of forced sterilization;
- Provide reparations to identified victims, including monetary compensation, mental health treatment, and healthcare services necessary to allow them to become pregnant and carry a child, if so desired.