

# Reproductive Rights

Prerna Babbar

Student

Email: babbarprerna658[at]gmail.com

**Abstract:** *Reproductive rights are very essential for human rights these rights are very important for females and depend on couples and individuals. Reproductive rights are the basic rights of females to give birth to their children according to their consent in this article, we discuss the benefits of reproductive rights and their evolution There are various barriers that prevent people from enjoying these rights according to their needs. It is very important for females to protect their reproductive organs and prevent problems including long term health problems. This article describes the state's responsibility to manage provisions for reproductive health and reproductive rights. There are provisions for safeguarding sexuality and reproduction. We also discuss abortion and post-abortion issues highlighting the legal rights and restrictions to prevent sex-determination abortions. reproductive rights are the part of human rights because it is very essential for every person to know about their rights.*

**Keywords:** reproductive rights, human rights, female health, state responsibility, abortion

## 1. Introduction

### Human Rights

Human rights can be taken as those minimal rights which every individual must have against the state or other public authority. Human rights are inherent to being a member of the human family.

The human Rights for women are therefore an inalienable, integral and indivisible part of human rights. The full development of personality, fundamental freedoms and equal participation by women in political, social, economic and cultural scenario are concomitant for International as well as National development, social and family stability and growth.

### Reproductive Rights Meaning

Reproductive rights are the legal rights which are provided by the government and reproductive rights related to reproduction and reproductive health. These rights vary from country to country.

World health organisation also defines reproductive rights in the following ways: -

Reproductive rights are the basic right of all couples and individuals to decide whether to give birth to a child or not. This right is freely decided by the couples or individual in terms of the number, spacing and timing of their children.

They also include the right of all to make decision concerning reduction free of discrimination, coercion and violence.

Reproductive rights is also a very essential part of human rights and the decision related to the reproduction or any sexual activity should be freely decided by the couples or individuals.

### Definition of Reproduction Right Under Article 21

Reproduction rights of a person include under article 21 supreme court recognised reproductive right as both part of the right to health as well as an aspect of personal liberty under article 21 and define such RIGHTS TO INCLUDE THE RIGHT TO ACCESS A RANGE OF

REPRODUCTIVE HEALTH INFORMATION GOODS FACILITIES AND SERVICES TO ENABLE.

### Reproductive rights include some of the following women's rights

- The abortion rights movements.
- Birth control.
- The right to access good quality reproductive health care.
- The right to education and access to make free and informed reproductive choice.
- Right to receive education about sexually transmitted infection and other aspect of sexuality.
- Right to menstrual health.
- The Right to privacy.
- The Right to consent to Marriage and equality in marriage.
- The Right to be free fr practices that harm women and girls.
- The Right to free from sexual & gender-based violence.

### Evolution of reproductive rights

In 1945 United Nations started the charter to promote human Rights without any discrimination on the ground of sex race language and religion

The Universal Declaration of Human Rights developed (UDHR) by the United Nations organization (UNO) in 1948 was the first international law document that explained about rights but it did not particularly talk about reproductive rights.

Reproductive Rights began to develop as human rights at the United Nations conference in 1968 that was the first international document on these rights.

UNO (United Nations organization) stated that parents have a basic human rights to determine freely and responsibly the number and the spacing of their children

In 1969 United nation (UN) general assembly of firmed the declaration on social programs and development which focus the family is a basic unit of the society and the promote the growth of its member particularly children and youth should be associated and protected by the government to manage the growth of the country

Volume 13 Issue 7, July 2024

Fully Refereed | Open Access | Double Blind Peer Reviewed Journal

[www.ijsr.net](http://www.ijsr.net)

The 1975 United Nations held an international women's year conference and echoed the proclamation of Tehran.

#### 1994 CARIO PROGRAMME OF ACTION

20 years kariyo programme of action was adopted in 1994 at the international conference on population and development in cario

Planning reproductive health and about it services including services for health and safety child birth care for sexually transmitted infection and post abortion care.

Meaning of this program was to family planning instead of the demographic demographic profile or graph of the country.

ICPD (international conference on population and development) also address issues such as violence against women, sex trafficking and health of adolescence.

Cario first to define reproductive health stating that

"Reproductive health is a state of complete Physical, Mental and Social well - being and not merely the absence of disease or infirmity in all matters relating to the reproductive system and its functions and process. "

India also started provision for family planning for reproductive rights but it is not much successful because there is no focus on child birth timing and inadequate health care unsafe abortion led to increase the woman death due to pregnancy.

#### State Responsibility to Protect the Women's and Adolescents

- 1) The state has more applications to make law of policies regarding women's reproductive health. It is the duty of the government to safeguard and protect women and adolescents as well.
- 2) It is the responsibility of state to enact the laws for safeguarding the reproductive rights of women's and also for the protection of adolescence.
- 3) State should adopt the measures to eliminate the discrimination with respect to reproductive an sexual health.
- 4) State take steps to ensure that reproductive health information good and services - including access to perinatal care, skilled attendance during birth emergency obatetic care, and medicines and technology essential to sexual and reproductive health - are available accessible, acceptable and good equality.
- 5) Ensure registration and auailabltx of essential medicines for treating pregnancy related complications.
- 6) Provide free services in connection with pregnancy, childbirth, and the post period, as necessary.
- 7) States take steps to ensure access to special care and assistance during pregnancy and for a period following childbirth.

#### Available Reproductive Rights

Reproductive Right are different in each state. It comes to access to abortion, birth control, and other reproductive health care remedies.

Birth control: Privately owned organizations offer health insurance polices to their employees can exclude birth control coverage in the policies. It is a method medicine or device to prevent pregnancy of women can choose from many different types of birth control.

Abortion: It including access to legal safe procedures to end the pregnancy there are also many rights include access to. Abortion can take place only in the starting week a women can abort only to 39 weeks after 3p weeks a women can not abort a child.

Sex education  
Family planning  
Birth control  
Assisted

#### Reproductive Rights and Open Society

We need to empower women so they can become their own advocates for their safety and can fought against the wrong.

There are still so many places where the women's do not have right to take their reproductive decisions. She do not have any faith that depends on her husband or life run by husband as puppets.

When women control their reproductive destiny, it helps to dismantle the idea that their gender exist only for others

Open society Foundation has supported efforts to protect and defend the reproductive rights.

Open society is a promise of equality. It is important that women can opt their own decisions instead of taking decisions of family pressure.

Foe women this is a mean to able to control the decision pertaining to reduction.

#### The Affordable Care Act and Contraptive Coverage

The affordable care act and contraptive coverage (ACA) has expanded the women access to contraception in several ways including by requiring health care insurers to cover contraptive counseling services.

And all FDA approved contraceptives methods without any out of pockets costs patients. This change in particular significant for lower income women often struggle with financial burden associated with purchasing contraception on a regular basis...

In addition to require most health insurers to covers contractive methods to affordable care act has increases women's access to contraception by expanding the number of people who have health insurance coverage.

The ACA has dramatically reduces rates of uninsurance among women aged 18 to 24 by allowing adult children to stay on their parents health insurance plans until the age of 26 between 2008 and 2014, the percentage of women aged 18 to 24 without health insurance decreased from 24.9 to 15.8 percent.

During this time period uninsurance rates for women of all ages dropped about 28 percent from 33 percent in the first nine months of 2014.

Infertility treatment can increase the reproductive choice of women and men but they often prohibitive expensive, especially when they are not covered by the insurance.

The fertility rate of women in United States has decline in recent years due to women tendency to marry and give birth later in life. In 2013 the median age for women get marriage was 26 years upto 20.3 years in 1960.

Sex education is critical to giving young women and men to knowledge they need to make informed decisions and about their sexual activity and to avoid the unwanted pregnancy and transmitter diseases.

### Barrier on Reproductive Rights

Every day in the worlds poorest countries the women cross their finger to wish to reach the health care clinic 5 miles away in hoping to safeguard their children and themselves.

Women in rural areas facing extreme barriers to sexual and reproductive health they only wish for their health and for their child.

There are ten barriers we are most frequently existing

- 1) **Gender Inequality:** women can not access to reproductive health care because a women in desperate need of emergency depend on her husband or her husband give permission to go to healthcare center
- 2) **Out of Stocks:** For many reasons, including supply chun issues, poor planning or lack of capability to run clinics often run of contraceptives
- 3) **Lack of Funding:** Global reproductive health is significantly underfunded more than 200 million women wants but due to the lack of finance as government method become tighter, krishnarjit is also on its risk.
- 4) **Lack of Professionals:** In many areas and member of professional or service providers like doctor nurses are limited and those who are existed are undermine and don't have the experience.
- 5) **Distance to Healthcare Centres:** rural areas healthcare centres clinics and hospitals can be far and too difficult to reach.
- 6) **Lack of Information:** lack of information can transformation and do not have proper knowledge regarding their rights of the collection and faces many problems and did not aware about the transmission disease.
- 7) **Burden of Work:** Womens work in the field and prepare food for your children and they do not manage the time for visiting the doctors clinic for their regular health check up.
- 8) **Legislative and Legal Barriers:** Restrictive law and policies can have a real and sometime disadvantaging impact on the people thus is particularly challenging in relation to safe abortion services.
- 9) **Cultural Beliefs and Traditions:** in cultural beliefs that female can seek services only from female nurses instead of male doctors they don't allow their female to

checkup through the female doctors they do not allow the female to check up from the male doctors.

- 10) **Service Provider Bias:** just because a nurse is trained in providing a service, does not match he/she provide its without bias.

### Ways to break the barriers of reproductive rights

For gender equality the program focuses on engaging communities to calibrate leave and discuss this inadequate they mean for women cell and work on changes with the communities and small changes makes a big change.

Work with provide clinic managers and government officials to improve the supply and ensure availability of contraceptives.

Reproductive health funding is important for all the females in an area or district it helps to safe guard the reproduction process and gave a birth to a healthy adolescence without giving their life.

Government should focus to the educational knowledge and practical knowledge of the doctors so that professionals changes safe life of mother as well life of adolescence without any mistake.

By the working community-based health workers, peer educator and other local outreach channel it brings services to the community. Service point should open in the area to avoid the distance and resources can easily access to the needed

Due to lack of the information women get transmission disease which is risk and cause death so knowledge should be provided to every district of rural areas and methods were taken to spread awareness.

Support the rights of all the peoples to control their reproductive lives. Should improve policies and educates the decision makers in shaping legislative policies that will help you protect the reproductive rights of individuals.

There should be change in the context of culture and religion leaders because life of a women is also important. Approach given to the religious leaders to promote healthy timing and spacing of the pregnancy is one of example of collaboration.

In 2011, the Delhi High court issued a landmark joint decision in case of Laxmi Mandal v/s Deep Dajal Harinagar Hospitals and Jaitun v/s Maternity home.

Court "these petition focus on two inalienable survival rights that from part of the right to life the right to health and particular the reproductive right to the mother "

" No women, more so pregnant women should be denied the facility of treatment at any stage irrespective of her social and economic background. This is where the inalienable right to health which inherit in right to life get in force"

## 2. Conclusion

Reproductive Rights are basically involved in human Rights. Reproductive Rights include the freedom of every couples or individual to take a free decision for giving a birth to a child. NO one can force any person to give birth. It all about depends on the individual. Also reproductive right define under Article 21 of Indian constitution. There are various Reproductive rights which include the women rights. Evolution of United Nations and charter of united nation helps to promote the Reproductive Right and the internal conference discuss about these Right and accepted the Reproductive rights as important human life. Even in many countries Reproductive Right are followed and violation of the Right led to the imprisonment or fine. These rights also enforced in India. The regulations of the Reproductive Right is one of the most essential part of every women of India.... [1]

## References

- [1] [www.pathfinder.org](http://www.pathfinder.org)
- [2] [www.webmd.com](http://www.webmd.com)
- [3] [www.findlaw.com](http://www.findlaw.com)
- [4] Law Relating To women and children
- [5] Author (Mamta Rao).
- [6] Third edition 2012