

## Joint Statement on the Nairobi Summit on the ICPD25

**November 14, 2019**

We are pleased to speak at the Nairobi Summit on the 25th anniversary of the International Conference on Population and Development (ICPD) held in Cairo in 1994. The United States, on behalf of Brazil, Belarus, Egypt, Haiti, Hungary, Libya, Poland, Senegal, St. Lucia, and Uganda, reminds both those gathered and those watching that the 1994 ICPD had as its stated objectives and actions to collectively address the critical challenges and interrelationships between population and sustained economic growth in the context of sustainable development.

Our world has undergone remarkable demographic, social, economic, environmental, and political change over the past 25 years. Many countries have made substantial progress in reducing death rates and increasing education and income levels, including by improving the educational and economic status of women. It is noteworthy that, as opposed to the population growth predictions included in the ICPD Program of Action, these predictions have not come to pass. Indeed, in most regions of the world today, fertility is below population replacement rates. As a result, family planning should focus both on the voluntary achievement of pregnancy as well as the prevention of unwanted pregnancy.

While much progress has been made, "developing countries are still facing serious economic difficulties and an unfavorable international economic environment, and the number of people living in absolute poverty" is still too high (See ICPD Preamble 1.2).

Together, we affirm the key foundational principles of the ICPD Program of Action, including that "[e]veryone has the right to life, liberty and security of person" and that "[t]he family is the basic unit of society and as such should be strengthened" (ICPD Principles 1 and 9, respectively). We strongly support the holistic pursuit of the highest attainable outcomes of health, life, dignity, and well-being for women, men, children, and adolescents throughout their lives. This includes but is not limited to: reproductive concerns; maternal health; primary health care; voluntary and informed family planning; family strengthening; equal educational and economic opportunities for women and men; the eradication of HIV, TB and other infectious diseases; elimination of violence against women and children; human trafficking; and discrimination on the basis of sex.

We wish to emphasize that the agreement reached at Cairo remains a solid foundation for addressing new challenges within a consensus-driven process that gives each government equal opportunity to negotiate a broadly accepted document within the UN, reaffirming that health is a precondition for and an outcome and indicator of the realization of ICPD.

The ICPD Program of Action was approved by consensus as contained in the report of the Conference and endorsed by the United Nations (UN) General Assembly in its resolution 49/128 of December 19, 1994. UN Member States were able to join consensus because the ICPD Program of Action preamble paragraph 1.15 made clear that the conference did not create any new international human rights, and that "the implementation of the recommendations contained in the Programme of Action is the sovereign right of each country, consistent with national laws and development priorities, with full respect for the various religious and ethical values and cultural backgrounds of its people, and in conformity with universally recognized international human rights" (ICPD Program of Action Principles chapeau).

We are also concerned about the content of some of the key priorities of this Summit. We do not support references in international documents to ambiguous terms and expressions, such as sexual and reproductive health and rights (SRHR), which do not enjoy international consensus, nor contemplates the reservations and caveats incorporated into the Cairo outcome. In addition, the use of the term SRHR may be used to actively promote practices like abortion. There is no international right to abortion; in fact, international law clearly states that "[e]veryone has the right to life" (e.g. Article 3 of the Universal Declaration of Human Rights). The ICPD notes that countries should "take appropriate steps to help women avoid abortion, which in no case should be promoted as a method of family planning" (ICPD 7.24) and to "reduce the recourse to abortion" strongly affirming that "... [a]ny measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process" (ICPD paragraph 8.25). This legislative process should reflect the democratic expression of the will of the people, through their freely elected representatives.

We cannot support a sex education that fails to adequately engage parents and which promotes abortion as a method of family planning. But we support "proper regard for parental guidance and responsibilities" [E73] and giving young people the skills to avoid sexual risk.

We would have appreciated more transparency and inclusiveness in the preparation of the Conference, including regarding criteria for civil society participation. While the Cairo ICPD Program of Action was negotiated and implemented with and by the entire UN General Assembly membership, only a small handful of governments were consulted on the planning and modalities of the 2019 Nairobi Summit. Therefore, outcomes from this summit are not intergovernmentally negotiated, nor are they the result of a consensus process. As a result, they should not be considered normative, nor should they appear in future documents as intergovernmentally-agreed language.

This Nairobi Summit is centered on only certain aspects of the ICPD Program of Action and does not fully reflect all views and positions of the Member States. In reality, the 2019 Nairobi Summit should have followed the spirit of the careful and delicate negotiations that led to the consensus-based 1994 ICPD Program of Action. Unless negotiated and adopted by consensus of all Member States, within the process and structure of an international body such as the UN General Assembly, no ICPD follow-on document has consensual weight or standing amongst governments.

We call upon Member States to maintain the original and legitimate 1994 ICPD principles, goals, objectives, and actions that explicitly retain important government statements and reservations that permitted consensus, to reiterate their reservations to the ICPD Program of Action as reflected in the conference's report, and to focus our efforts, resources, and determination to fulfill the unfinished work of attaining sustainable development for every nation so as to promote the dignity of the human person and human flourishing.

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