



PRESS RELEASE: BIRTH A HUMAN RIGHTS ISSUE IN EUROPE

19 October 2016

On 19th October 2016, the international NGO Human Rights in Childbirth held its Fourth European Summit in Strasbourg (France), seat of the European Court of Human Rights (ECHR). This Summit of mothers, birth professionals, lawyers and other stakeholders occurred in the framework of the conference “Birth is a Human Rights Issue,” organized by Midwifery Today, which ran from October 19th-24th.

The leaders of national, consumer-led maternal health organizations from 14 countries¹ across Europe presented reports on the status of women’s human rights, in law and in reality, in each national maternity care system. The ultimate objective was to advance advocacy at the local level and educate human rights lawyers and stakeholders from the European Court of Human Rights and elsewhere by learning from experiences in other countries. As an outcome of the summit, Human Rights in Childbirth will draft and publish the first comparative international report on human rights in maternal healthcare.

In *Konovalova v. Russia*², the ECHR affirmed that informed consent and refusal is a human right and that it remains in effect during childbirth. By sharing women's stories, Summit speakers illuminated the gap between the right to informed consent and refusal on paper and women’s reports of their lived experiences of maternity care, including why women in some nations have described these violations as obstetric violence.

In 2010, the European Court of Human Rights declared that women have a human right to choose the circumstances in which they give birth³. In numerous cases before the ECHR, Eastern European governments are arguing that they should be allowed to refuse to integrate out-of-hospital birth in their maternity care systems, under the argument that forbidding skilled attendance for home birth increases safety for women and babies by making them go to the hospital.

Activists from both Western and Eastern European nations reported on the legal status of out-of-hospital birth in each nation, and how that status affects women’s choices, experiences, and safety. The President of HRiC, human rights lawyer Hermine Hayes Klein, highlighted that “only through sharing the stories that women share with national birth rights organizations can the human rights issues in childbirth be understood and addressed.”

¹ Germany, France, Spain, Italy, Belgium, Netherlands, Luxembourg, Croatia, Hungary, Slovakia, Slovenia, Ukraine, United Kingdom, Ireland.

² *Konovalova V. Russia* Application number no. 67545/09 Judgement 9 October 2014

³ *Ternovszky v. Hungary*. Application number 67545/09). JUDGEMENT 14 December 2010 <http://www.humanrightsinchildbirth.org/ternovszky-vs-hungary>



HRiC also used the Summit to present their global “Know Your Rights” campaign, in partnership with international law firm DLA Piper, to empower women with information to understand and exercise their rights during childbirth. FAQ sheet” was presented by Tara Alexander of DLA Piper’s *pro bono* office presented the German Know Your Rights FAQ sheet. Arne Gericke, Member of the European Parliament, and Katharina Hartman of the German NGO Mother-Hood described what is the role of the State in making them happen and how to implement the FAQ sheet at practical level.

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[Human Rights in Childbirth](#) is an NGO whose mission is to advocate for the recognition– in policy and reality– of every birthing woman’s fundamental human rights.

The summit was co-organized by HRIC, [Roda](#) (Parents in action) and [Make Mothers Matter](#) (EU delegation).

