

Preventing gender-biased sex selection

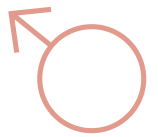
An interagency statement
OHCHR, UNFPA, UNICEF, UN Women and WHO



World Health
Organization

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Abbreviations and acronyms

CEDAW	Convention on the Elimination of All-forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CVS	chorionic villus sampling
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPD	International Conference on Population and Development
JSK	Jansankhya Sthirata Kosh – National Population Stabilisation Fund.
OHCHR	Office of the United Nations High Commissioner for Human Rights
PGD	pre-implantation genetic diagnosis
SRB	sex ratio at birth
UNFPA	United Nation Population Fund
UNICEF	The United Nations Children’s Fund
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
WHO	World Health Organization

Executive summary

The biologically normal sex ratio at birth ranges from 102 to 106 males per 100 females. However, ratios higher than normal – sometimes as high as 130 – have been observed. This is now causing increasing concern in some South Asian, East Asian and Central Asian countries.

The tradition of patrilineal inheritance in many societies coupled with a reliance on boys to provide economic support, to ensure security in old age and to perform death rites are part of a set of social norms that place greater value on sons than daughters. In addition, a general trend towards declining family size, occasionally fostered by stringent policies restricting the number of children people are allowed to have, is reinforcing a deeply rooted preference for male offspring. As a result, women are often under immense family and societal pressure to produce sons. Failure to do so may lead to consequences that include violence, rejection by the marital family or even death. Women may have to continue becoming pregnant until a boy is born, thus putting their health and their life at risk.

Sex selection can take place before a pregnancy is established, during pregnancy through prenatal sex detection and selective abortion, or following birth through infanticide or child neglect. Sex selection is sometimes used for family balancing purposes but far more typically occurs because of a systematic preference for boys. Although the relatively recent availability of technologies for the early determination of sex has provided an additional method for sex selection, this is not the root cause of the problem. Where the underlying context of son preference does not exist, the availability of techniques to determine sex does not necessarily lead to their use for sex selection.

States have an obligation under human rights laws to respect, protect and fulfil the human rights of girls and women. In addition, more than 180 States are signatories to the 1994 Programme of Action

of the International Conference on Population and Development (ICPD). As part of this undertaking States agreed to:

... eliminate all forms of discrimination against the girl child and the root causes of son preference, which result in harmful and unethical practices regarding female infanticide and prenatal sex selection.

United Nations (1994); paragraph 4.16

At the same time, States have an obligation to ensure that these injustices are addressed without exposing women to the risk of death or serious injury by denying them access to needed services such as safe abortion to the full extent of the law. Such an outcome would represent a further violation of their rights to life and health as guaranteed in international human rights treaties, and committed to in international development agreements.

Governments in affected countries have undertaken a number of measures in an attempt to halt increasing sex-ratio imbalances. Some have passed laws to restrict the use of technology for sex-selection purposes and in some cases for sex-selective abortion. These laws have largely had little effect in isolation from broader measures to address underlying social and gender inequalities. In some settings, legal and policy measures aimed at redressing deep-seated inequalities between boys and girls have been passed. These include laws for more equitable patterns of inheritance, and measures such as direct subsidies at the time of a girl's birth, scholarship programmes, gender-based school quotas or financial incentives, or pension programmes for families with girls only. These efforts have often been coupled with campaigns to raise awareness and to change people's mindsets and attitudes towards girls. Governments have thus already taken action in a number of ways, with varying degrees of success, and there are lessons that can be learnt from this.

However renewed and concerted efforts are now needed by governments and civil society, including efforts to address the deeply rooted gender discrimination against women and girls which lies at the heart of sex selection. First, there is an urgent need for more-reliable data on both the real magnitude of the problem, on its social and health consequences, and on the impact of interventions. Such data is needed to provide a sound evidence base for carefully planned and coordinated policy development and action. Second, guidelines on the ethical use of the relevant technologies should be developed and promoted through health professional associations. Third, supportive measures for girls and women should be put in place, including measures to ensure improved access to information, health care services, nutrition and education; measures to improve their security; and measures such as the provision of incentives to families with daughters only. Fourth, States should develop and promote enabling legislation and policy frameworks to address the root causes of the inequalities that drive sex selection. Policies will be needed in areas such as inheritance laws, dowries, and financial and other social protection in

old age, while also ensuring that laws and policies reflect a commitment to human rights and gender equality. Finally, States should support advocacy and awareness-raising activities that stimulate discussion and debate within social networks, and more broadly within civil society, in order to strengthen and expand consensus around the concept of the equal value of girls and boys.

This OHCHR, UNFPA, UNICEF, UN Women and WHO joint interagency statement reaffirms the commitment of United Nations agencies to encourage and support efforts by States, international and national organizations, civil society and communities to uphold the rights of girls and women and to address the multiple manifestations of gender discrimination including the problem of imbalanced sex ratios caused by sex selection. It thus seeks to highlight the public health and human rights dimensions and implications of the problem and to provide recommendations on how best to take effective action.

This joint statement reflects the activities of individual agencies around an issue of common concern. The principles and policies of each agency are governed by the relevant decisions of its governing body. Each agency implements the interventions described in this document in accordance with these principles and policies, and within the scope of its mandate.

Introduction – the causes and prevalence of sex selection

Imbalances in the overall population sex ratio contrary to the biological norm (BOX 1) were observed as early as the mid-19th century (Guilmoto, 2007a). Similarly, the phenomenon of skewed sex ratios at birth or in early childhood is not a recent development. In India, for example, census data show skewed child sex ratios dating back to the early 20th century (Visaria, 1971). Such disparities almost always reflect a preference for boys as a result of deeply embedded social, cultural, political and economic factors (see **Annex 1**). In the past, this preference for boys resulted in the killing or neglecting of female infants. Since the early 1980s, the availability of ultrasound and other diagnostic technologies which can detect the sex of a fetus has in some parts of the world led to an accelerated increase in sex-ratio imbalances at birth.

Although the relatively recent availability of technologies that can be used for sex selection has compounded the problem, it has not caused it. In settings where there is no underlying context of son preference, the increased availability of such techniques is not associated with their use in sex selection. This has been demonstrated by an analysis of national data in India in which prenatal diagnostic tests (for reasons other than sex selection) were found to be much more widely used in the south where sex-ratio imbalances do not exist than in the north where they do (Bhat & Zavier, 2007). Modern

technologies such as ultrasound and DNA blood tests are therefore only a means by which to achieve an end, and are not the root of the problem (Ganatra, 2008; Sen, 2009). The rise in sex-ratio imbalances and normalization of the use of sex selection is caused by deeply embedded discrimination against women within institutions such as marriage systems, family formation and property inheritance laws.

Patterns of sex-ratio imbalances

Analysis of available national census data indicates that in recent decades, sex-ratio imbalances in favour of boy children have grown in a number of South Asian, East Asian and Central Asian countries, and there is broad agreement concerning the problem of gender-biased sex selection. However, further analysis based on more-complete data of better quality is urgently needed to further our understanding of the phenomenon and its trends. Currently, for example, sex ratios at birth are not always available at national level and many countries report instead on childhood sex ratios.

In China, the sex ratio at birth increased from 107 in 1982 to 120 in 2005 based upon data from the 1982 population census and from a 2005 1% Population Sample Survey (Li, 2007). In India, estimates based on Census of India data indicated little change during a similar period (from 107.3 in 1981 to 106.5 in 2001) while those based on sample registration surveys

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