

## **Statements and Reservations on the Programme of Action**

### **EXPLANATORY NOTE**

The following statements are not part of the Programme of Action of the International Conference on Population and Development (Cairo, 1994). They are part of the record of proceedings contained in the report of the Conference (United Nations publications, Sales No. E.95.XIII.18). They are placed in this booklet for ease of reference.



## **Chapter I.**

### **Oral Statements and Reservations on the Programme of Action**

At the 13th and 14th plenary meetings, the representatives of a number of countries made statements which they requested the secretariat of the Conference to place on record. Those statements are set out below.

The representative of Afghanistan stated the following:

"The delegation of Afghanistan wishes to express its reservation about the word 'individual' in chapter VII and also about those parts that are not in conformity with Islamic Sharia."

The representative of Brunei Darussalam stated the following:

"According to our interpretation, one aspect of reproductive rights and reproductive health, referring specifically to paragraphs 7.3 and 7.47 and subparagraph 13.14 (c) of the Programme of Action, contradicts Islamic law and our national legislation, ethical values and cultural background. My country wishes to place on record its reservation on those paragraphs."

The representative of El Salvador stated the following:

"Recognizing that aspects of the Programme of Action are tremendously positive and are of supreme importance for the future development of mankind, the family and our children, we, as leaders of nations, cannot but express the reservations we feel are appropriate. If we did not, we could not possibly face the questions from our people that are certain to be posed.

"It is for this reason — recognizing the spirit of the document, to which we have given our consensus and our approval — that we wish to state that there are three basic aspects which we are concerned about. Therefore, in accordance with the rules of procedure of this Conference, we wish to express the following reservations and request that they be included in full in the report of this Conference.

"We Latin American countries are signatories to the American Convention on Human Rights (Pact of San José). Article 4 thereof states quite clearly that life must be protected from the moment of conception. In addition, because our countries are mainly Christian, we consider that life is given by the Creator and cannot be taken unless there is a reason which justifies it being extinguished. For this reason, as far as Principle 1 of the Programme of Action is concerned, we associate ourselves with the reservation expressed by the delegation of Argentina: we consider that life must be protected from the moment of conception.

"As far as the family is concerned, although we are quite clear about what is contained in the document, we would like to express specific reservations on how the term 'various forms of family' is going to be interpreted, because the union is between man and woman, as is defined in our Family Code in the Constitution of our Republic.\*

"As far as reproductive rights, reproductive health and family planning are concerned, we wish to express reservations, as the other Latin American countries have done: we should never include abortion within these concepts, either as a service or as a method of regulating fertility.

"The delegation of El Salvador endorses the reservations expressed by other nations with regard to the term 'individuals' as we objected to that term in the Main Committee. It is not in conformity with our legislation and therefore could give rise to misunderstanding. We therefore express our reservation with respect to the term 'individuals'."

The representative of Honduras stated the following:

"Pursuant to rule 33 of the rules of procedure, the delegation of Honduras, in subscribing to the Programme of Action of this Conference, would like to submit in accordance with rule 38 of the same rules of procedure, the following statement of reservations, requesting that it be included in full in the final report.

"The delegation of Honduras in supporting the Programme of Action of the International Conference on Population and Development bases itself on the Declaration of the Fifteenth Summit of Central American Presidents, adopted at Guácimo de

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\*The representative of El Salvador later corrected his statement as follows: "In referring to the family in its various forms, under no circumstances can we change the origin and foundation of the family, which is the union between man and woman from which derive children."

Limón, Costa Rica, on 20 August 1994 and bases itself specifically on the following:

“(a) Article 65 of the Constitution of the Republic of Honduras, which provides for the fact that the right to life is inviolable, and articles 111 and 112 of the same Constitution, which state that the State must protect the institution of the family and marriage and the right of men and women to contract marriages and common law marriages;

“(b) The American Convention on Human Rights, which reaffirms that every person has the right to life and that this right will be protected by law and will be protected in general, starting from the moment of conception, based on moral, ethical, religious and cultural principles, which should regulate the international community, and in accordance with the internationally recognized human rights.

“As a consequence of this, one accepts the concepts of ‘family planning’, ‘sexual health’ ‘reproductive health’, ‘maternity without risk’, ‘regulation of fertility’, ‘reproductive rights’ and ‘sexual rights’ so long as these terms do not include ‘abortion’ or ‘termination of pregnancy’, because Honduras does not accept these as arbitrary actions; nor do we accept them as a way of controlling fertility or regulating the population.

“Secondly, given that new terminology has been introduced in the document, as well as concepts which should be further analysed, and that these terms and concepts are expressed in scientific language, social language or public service language, which will have to be understood in terms of their proper context and are not interpreted in a way that could undermine respect for human beings, the delegation of Honduras considers that this terminology can only be understood without prejudice to its national law.

“Finally, we also state that the terms ‘family composition and structure’, ‘types of families’, ‘different types of families’, ‘other unions’ and similar terms can only be accepted on the understanding that in Honduras these terms will never be able to mean unions of persons of the same sex.”

The representative of Jordan stated the following:

“The delegation of Jordan, in its deliberations and discussions with all delegations and in a very serious and responsible manner, always wanted to join the consensus on the Programme of Action. While deeply appreciating the great efforts deployed by the Main Committee and the working groups, which have worked for long hours with the aim of achieving consensus on the language, and in full respect of the values of all countries, the delegation of Jordan has reached some compromises regarding the language on all issues.

"We fully believe that the international community respects our national legislation, our religious beliefs and the sovereign right of each country to apply population policies in accordance with its legislation. The delegation of Jordan understands that the final document, particularly chapters IV, V, VI and VII, will be applied within the framework of Islamic Sharia and our ethical values, as well as the laws that shape our behaviour. We will deal with the paragraphs of this document accordingly. Therefore, we interpret the word 'individuals' to mean couples, a married couple. I hope that you will put these comments on record."

The representative of Kuwait stated the following:

"The delegation of Kuwait would like to express its support for the Programme of Action, including all its positive points for the benefit of humankind. At the same time, we would like to put on record that our commitment to any objectives on population policies is subject to their not being in contradiction with Islamic Sharia or with the customs and traditions of Kuwaiti society and the Constitution of the State."

The representative of the Libyan Arab Jamahiriya stated the following:

"The delegation of the Libyan Arab Jamahiriya wishes to express a reservation on all terms in the document that are in contravention of Islamic Sharia, such as we see in paragraph 4.17 and in chapter II of the document, in relation to inheritance and extramarital sexual activities, and the references to sexual behaviour, as in paragraph 8.31.

"I wish to express a reservation, despite the discussion that took place in the Main Committee regarding the basic rights of couples and individuals. We express a reservation regarding the word 'individuals'.

"The Jamahiriya reconfirms, as part of Arab civilization, the importance of a dialogue among all religions, cultures and peoples in order to achieve world peace; yet no country, no civilization has the right to impose its political, economic and social orientations on any other people.

"I also want to express a reservation on the words 'unwanted pregnancies' in paragraph 8.25, because our written Constitution does not allow the State to undertake abortions unless the mother's health is in danger."

The representative of Nicaragua stated the following:

"Under rule 33 of the rules of procedure of this Conference, the delegation of Nicaragua supports the general agreement arrived at on the Programme of Action. Nevertheless, we would submit in writing pursuant to rule 38 of the rules of procedure, the following statement of reservations. We would request that this statement be fully reflected in the final report of this Conference.

"The Government of Nicaragua, pursuant to its Constitution and its laws, and as a signatory of the American Convention on Human Rights, confirms that every person has a right to life, this being a fundamental and inalienable right, and that this right begins from the very moment of conception.

"Accordingly, first we agree that the family may take various forms, but in no event can its essence be changed. Its essence is the union between man and woman, from which new human life derives.

"Second, we accept the concepts of 'family planning', 'sexual health', 'reproductive health', 'reproductive rights' and 'sexual rights' expressing an explicit reservation on these terms and any others when they include 'abortion' or 'termination of pregnancy' as a component. Abortion and termination of pregnancy can under no circumstances be regarded as a method of regulating fertility or a means of population control.

"Third, we also express an explicit reservation on the terms 'couple' or 'unions' when they may refer to persons of the same sex.

"Fourth, Nicaragua accepts therapeutic abortion on the grounds of medical necessity under our Constitution. Thus, we express an explicit reservation on 'abortion' and 'termination of pregnancy' in any part of the Programme of Action of this Conference."

The representative of Paraguay stated the following:

"In accordance with the introduction to chapter II of the Programme of Action, the delegation of Paraguay would like to express the following reservations.

"On chapter VII, paragraph 7.2, the right to life is the inherent right of every human being from conception to natural death. This is stipulated in article 4 of our national Constitution. Therefore, Paraguay accepts all forms of family planning with full respect for life, as is provided for in our national Constitution, and as an expression of exercising responsible parenthood.

"The inclusion of the term 'interruption of pregnancy' as part of the concept of regulation of fertility in the working definition pro-

posed by the World Health Organization, which was used during the course of this Conference, makes this concept totally unacceptable to our country. We wish to point out that in Paraguay we recognize constitutionally the need to work on the reproductive health of the population as a way of improving the quality of life of the family.

"On chapter II, principle 9, and chapter V, paragraph 5.1, our national Constitution considers that the family is the basic unit of society and is based on the union of a couple — man and woman — recognizing as well single-parent families. It is only from this perspective that we can include the term 'various forms of the family', respecting the various cultures, traditions and religions.

"We would like to request that this statement of reservations be included in the final report of the Conference."

The representative of the Philippines stated the following:

"The Philippine delegation would like to put on record our regret that in paragraph 10.12 of the Programme of Action the originally proposed wording, recognizing 'the right to family reunification' was toned down to just recognizing 'the vital importance of family reunification'. In the spirit of compromise, we agreed to the revised wording based on the argument forwarded by other delegations that there have been no previous international conventions or declarations proclaiming such a right, and that this is not the appropriate conference to establish this right. For this and other worthy reasons, we wish to reiterate the recommendation made in the Main Committee, supported by many delegations and received positively by the Chairman, that an international conference on migration be convened in the near future. We trust that this recommendation will be part of the record of this Conference and will be formally referred to the Economic and Social Council and the General Assembly for proper consideration."

The representative of the Syrian Arab Republic stated the following:

"I should like to put on record that the Syrian Arab Republic will deal with and address the concepts contained in the Programme of Action in accordance with chapter II and in full accordance with the ethical, cultural and religious concepts and convictions of our society in order to serve the unit of the family, which is the nucleus of society, and in order to enhance prosperity in our societies."



The representative of the United Arab Emirates stated the following:

"The delegation of the United Arab Emirates believes in protecting man and promoting his welfare and in enhancing his role in the family and in the State and at the international level. We consider also that man is the central object and the means for attaining sustainable development. We do not consider abortion as a means of family planning, and we adhere to the principles of Islamic law also in matters of inheritance.

"We wish to express reservations on everything that contravenes the principles and precepts of our religion Islam, a tolerant religion, and our laws. We would like the secretariat of the Conference to put on record the position we have expressed among the reservations that have been mentioned by other States on the final document."

The representative of Yemen stated the following:

"The delegation of Yemen believes that chapter VII includes certain terminology that is in contradiction with Islamic Sharia. Consequently, Yemen expresses reservations on every term and all terminology that is in contradiction with Islamic Sharia.

"In chapter VIII, we have some observations to make, particularly relating to paragraph 8.24. Actually, we wanted to delete the words 'sexual activity'. And, if we cannot delete them, then we wish to express our reservations. In paragraph 8.25, concerning 'unsafe abortion', we find that the definition is unclear and is not in accordance with our religious beliefs. In Islamic Sharia there are certain clear-cut provisions on abortion and when it should be undertaken. We object to the expression 'unsafe abortion'. We wish to express our reservations on paragraph 8.35, relating to 'responsible sexual behaviour'."

## Written Statements Submitted on the Programme of Action

The written statements set out below were submitted to the Conference secretariat for inclusion in the report of the Conference.

The representative of Argentina submitted the following written statement:

“Pursuant to rule 33 of the rules of procedure of the Conference (A/CONF.171/2), the Argentine Republic joins in the general agreement on the Programme of Action.

“However, we are submitting in writing pursuant to rule 38 the following reservation, and we request that it be included in full in the final report of the Conference.

### *Principles*

#### *“Principle 1*

“The Argentine Republic accepts Principle 1 on the understanding that life exists from the moment of conception and that from that moment every person, being unique and unreproducible, enjoys the right to life, which is the source of all other individual rights.

#### *“Chapter V (The family, its roles, rights, composition and structure)*

##### *“Paragraph 5.1*

“The Argentine Republic accepts paragraph 5.1 since, although the family may exist in various forms, in no case can its origin and foundation, i.e., the union between man and woman, which produces children, be changed.

## *"Chapter VII (Reproductive rights and reproductive health)*

### *Paragraph 7.2*

"The Argentine Republic cannot accept the inclusion of abortion in the concept of 'reproductive health' either as a service or as a method of regulating fertility.

"This reservation, based on the universal nature of the right to life, also applies to all similar references to this concept."

The representative of Djibouti submitted the following written statement:

"The delegation of the Republic of Djibouti has the honour to inform you of its wish to enter express reservations on all the passages in the paragraphs of the Programme of Action of the International Conference on Population and Development which conflict with the principles of Islam and with the legislation, laws and culture of the Republic of Djibouti.

"The delegation of Djibouti would like its reservations to be reflected in the report of the Conference."

The representative of the Dominican Republic submitted the following written statement:

"Pursuant to rule 33 of the rules of procedure of the Conference (A/CONF.171/2) the Dominican Republic joins in the general agreement on the Programme of Action. However, in accordance with its Constitution and laws and as a signatory of the American Convention on Human Rights, it fully confirms its belief that everyone has a fundamental and inalienable right to life and that this right to life begins at the moment of conception.

"Accordingly, it accepts the content of the terms 'reproductive health', 'sexual health', 'safe motherhood', 'reproductive rights', 'sexual rights' and 'regulation of fertility' but enters an express reservation on the content of these terms and of other terms when their meaning includes the concept of abortion or interruption of pregnancy.

"We also enter an express reservation on the term 'couple' where it refers to persons of the same sex or where individual reproductive rights are mentioned outside the context of marriage and the family.

"These reservations also apply to all regional and international agreements which refer to these concepts.

## *“Chapters V and X*

“The Government of the Dominican Republic wishes to place on record that during the proceedings of the Conference in general, and in particular with regard to chapters V and X, it often proved difficult to reach a consensus owing to the lack of international instruments embodying the right to the integrity of the family.

“Aware that by promoting the unity and integrity of the family as a natural development system we are ensuring the comprehensive, sustainable development of our communities, we propose that this right to the integrity of the family be considered by the United Nations with a view to its adoption as soon as possible.

“Pursuant to rule 38 of the rules of procedure, we request that this statement of reservations be included in full in the final report of the Conference.”

The representative of Ecuador submitted the following written statement:

“Pursuant to rule 33 of the rules of procedure of the Conference (A/CONF.171/2), the Government of Ecuador joins in the general agreement on the Programme of Action.

“However, pursuant to rule 38 of the rules of procedure, we enter the following reservations for inclusion in the final report of the Conference.

## *“Reservation*

“With regard to the Programme of Action of the Cairo International Conference on Population and Development and in accordance with the provisions of the Constitution and laws of Ecuador and the norms of international law, the delegation of Ecuador reaffirms, *inter alia*, the following principles embodied in its Constitution: the inviolability of life, the protection of children from the moment of conception, freedom of conscience and religion, the protection of the family as the fundamental unit of society, responsible paternity, the right of parents to bring up their children and the formulation of population and development plans by the Government in accordance with the principles of respect for sovereignty.

“Accordingly, the delegation of Ecuador enters a reservation with respect to all terms such as ‘regulation of fertility’, ‘interruption of pregnancy’, ‘reproductive health’, ‘reproductive rights’ and ‘unwanted

children', which in one way or another, within the context of the Programme of Action, could involve abortion.

"Ecuador also enters a reservation concerning certain unnatural concepts relating to the family, *inter alia*, which might undermine the principles contained in its Constitution.

"The Government of Ecuador is willing to collaborate in all activities designed to achieve the common good, although it does not and cannot accept principles which infringe its sovereignty, Constitution and laws."

The representative of Egypt submitted the following written statement:

"We wish to point out that the delegation of Egypt was among those delegations that registered numerous comments on the contents of the Programme of Action with regard to the phrase 'couples and individuals'.

"While recognizing that this expression was adopted by consensus at the two previous population conferences of 1974 and 1984, our delegation called for the deletion of the word 'individuals' since it has always been our understanding that all the questions dealt with by the Programme of Action in this regard relate to harmonious relations between couples united by the bond of marriage in the context of the concept of the family as the primary cell of society.

"We should like the report of the Conference to reflect the above."

The Government of Guatemala submitted the following written statement:

"The delegation of Guatemala wishes to offer its thanks to the Egyptian people and authorities and to the organizers of the Conference for their hospitality and for the services provided, for they made it possible for our deliberations about life and humanity's future development to reach a conclusion which our delegation sincerely hopes will enhance respect for the life and dignity of men and women, especially those of the new generations, in which we will have to place our faith and trust in order to face the future without recourse to apocalyptic forecasts but in solidarity, justice and truth.

"Pursuant to rule 33 of the rules of procedure of the Conference (A/CONF.171/2), the Republic of Guatemala joins in the general agreement on the Programme of Action.

"Pursuant to rule 38, we submit the following statement of reservations and request that it be included in full in the final report of the Conference.

"The Government of Guatemala enters an express reservation on the use of terms, stipulations and provisions which are implicitly or explicitly inconsistent with:

"1. The American Declaration of the Rights and Duties of Man

"2. The American Convention on Human Rights (Pact of San José)

"3. The guidelines adopted at the fifteenth summit meeting of Central American Presidents

"4. The Constitution of the Republic of Guatemala

"5. Civil, criminal and human rights legislation

"6. The Multisectoral Agreement on Population Education issued by the Ministry of Education of Guatemala and the teaching approach used in such education

"7. The message to the Conference from the President of the Republic, Ramiro de León Carpio.

"We also enter express reservations on:

"(a) Chapter II (Principles): we accept this chapter but note that life exists from the moment of conception and that the right to life is the source of all other rights;

"(b) Chapter V, paragraph 5.1: we accept this provision on the understanding that, although the family may exist in various forms, under no circumstances can its essential nature, which is the union between a man and a woman from which love and life stem, be changed;

"(c) Chapter VII: we enter a reservation on the whole chapter, for the General Assembly's mandate to the Conference does not extend to the creation or formulation of rights; this reservation therefore applies to all references in the document to 'reproductive rights', 'sexual rights', 'reproductive health', 'fertility regulation', 'sexual health', 'individuals', 'sexual education and services for minors', 'abortion in all its forms', 'distribution of contraceptives' and 'safe motherhood';

"(d) Chapter VIII: on all the paragraphs or sentences which contain or refer to the terms and concepts mentioned above;

"(e) Chapters IX, XII, XIII and XV: on references to those same terms and concepts."

The representative of the Holy See submitted the following written statement:

"Our conference, attended by persons of various traditions and cultures, with widely differing viewpoints, has carried out its work in a peaceful and respectful atmosphere. The Holy See welcomes the progress that has been made in these days, but also finds that some of its expectations have not been met. I am sure that most delegations share similar sentiments.

"The Holy See knows well that some of its positions are not accepted by others present here. But there are many, believers and non-believers alike, in every country of the world, who share the views we have expressed. The Holy See appreciates the manner in which delegations have listened to and taken into consideration views which they may not always have agreed with. But the Conference would be poorer if these views had not been heard. An international conference which does not welcome voices that are different would be much less a consensus conference.

"As you well know, the Holy See could not find its way to join the consensus of the Conferences of Bucharest and Mexico City, because of some fundamental reservations. Yet, now in Cairo for the first time, development has been linked to population as a major issue of reflection. The current Programme of Action, however, opens out some new paths concerning the future of population policy. The document is notable for its affirmations against all forms of coercion in population policies. Clearly elaborated principles, based on the most important documents of the international community, clarify and enlighten the later chapters. The document recognizes the protection and support required by the basic unit of society, the family founded on marriage. Women's advancement and the improvement of women's status, through education and better health-care services, are stressed. Migration, the all too often forgotten sector of population policy has been examined. The Conference has given clear indications of the concern that exists in the entire international community about threats to women's health. There is an appeal to greater respect for religious and cultural beliefs of persons and communities.

"But there are other aspects of the final document which the Holy See cannot support. Together with so many people around the world, the Holy See affirms that human life begins at the moment of conception. That life must be defended and protected. The Holy See can therefore never condone abortion or policies which favour abortion. The final document, as opposed to the earlier documents of the

Bucharest and Mexico City Conferences, recognizes abortion as a dimension of population policy and, indeed of primary health care, even though it does stress that abortion should not be promoted as means of family planning and urges nations to find alternatives to abortion. The preamble implies that the document does not contain the affirmation of a new internationally recognized right to abortion.

"My delegation has now been able to examine and evaluate the document in its entirety. On this occasion the Holy See wishes, in some way, to join the consensus, even if in an incomplete, or partial manner.

"First, my delegation joins the consensus on the Principles (chapter II), as a sign of our solidarity with the basic inspiration which has guided, and will continue to guide, our work. Similarly, it joins the consensus on chapter V on the family, the basic unit of society.

"The Holy See joins the consensus on chapter III on population, sustained economic growth and sustainable development, although it would have preferred to see a more detailed treatment of this subject. It joins the consensus on chapter IV (Gender equality, equity and empowerment of women) and chapters IX and X on migration issues.

"The Holy See, because of its specific nature, does not find it appropriate to join the consensus on the operative chapters of the document (chapters XII to XVI).

"Since the approval of chapters VII and VIII in the Committee of the Whole, it has been possible to evaluate the significance of these chapters within the entire document, and also within health-care policy in general. The intense negotiations of these days have resulted in the presentation of a text which all recognize as improved, but about which the Holy See still has grave concerns. At the moment of their adoption by consensus by the Main Committee, my delegation already noted its concerns about the question of abortion. The chapters also contain references which could be seen as accepting extra-marital sexual activity, especially among adolescents. They would seem to assert that abortion services belong within primary health care as a method of choice.

"Despite the many positive aspects of chapters VII and VIII, the text that has been presented to us has many broader implications, which has led the Holy See to decide not to join the consensus on these chapters. This does not exclude the fact that the Holy See supports a concept of reproductive health as a holistic concept for the promotion of the health of men and women and will continue to



work, along with others, towards the evolution of a more precise definition of this and other terms.

"The intention therefore of my delegation is to associate itself with this consensus in a partial manner compatible with its own position, without hindering the consensus among other nations, but also without prejudicing its own position with regard to some sections.

"Nothing that the Holy See has done in this consensus process should be understood or interpreted as an endorsement of concepts it cannot support for moral reasons. Especially, nothing is to be understood to imply that the Holy See endorses abortion or has in any way changed its moral position concerning abortion or on contraceptives or sterilization or on the use of condoms in HIV/AIDS prevention programmes.

"I would ask that the text of this statement and the reservations formally indicated below be included in the report of the Conference.

### *"Reservations*

"The Holy See, in conformity with its nature and its particular mission, by joining in the consensus to parts of the final document of the International Conference on Population and Development (Cairo, 5-13 September 1994), wishes to express its understanding of the Programme of Action of the Conference.

"1. Regarding the terms 'sexual health' and 'sexual rights', and 'reproductive health' and 'reproductive rights', the Holy See considers these terms as applying to a holistic concept of health, which embrace, each in their own way, the person in the entirety of his or her personality, mind and body, and which foster the achievement of personal maturity in sexuality and in the mutual love and decision-making that characterize the conjugal relationship in accordance with moral norms. The Holy See does not consider abortion or access to abortion as a dimension of these terms.

"2. With reference to the terms 'contraception', 'family planning', 'sexual and reproductive health', 'sexual and reproductive rights', and 'women's ability to control their own fertility', 'widest range of family-planning services' and any other terms regarding family-planning services and regulation of fertility concepts in the document, the Holy See's joining the consensus should in no way be interpreted as constituting a change in its well-known position concerning those family-planning methods which the Catholic Church considers morally unacceptable or on family-planning services

which do not respect the liberty of the spouses, human dignity and the human rights of those concerned.

"3. With reference to all international agreements, the Holy See reserves its position in this regard, in particular on any existing agreements mentioned in this Programme of Action, consistent with its acceptance or non-acceptance of them.

"4. With reference to the term 'couples and individuals', the Holy See reserves its position with the understanding that this term is to mean married couples and the individual man and woman who constitute the couple. The document, especially in its use of this term, remains marked by an individualistic understanding of sexuality which does not give due attention to the mutual love and decision-making that characterizes the conjugal relationship.

"5. With reference to chapter V, the Holy See interprets this chapter in the light of principle 9, that is, in terms of the duty to strengthen the family, the basic unit of society, and in terms of marriage as an equal partnership between husband and wife.

"6. The Holy See places general reservations on chapters VII, VIII, XI, XII, XIII, XIV, XV and XVI. This reservation is to be interpreted in terms of the statement made by the delegation in the plenary meeting of the Conference on 13 September 1994. We request that this general reservation be noted in each of the above-mentioned chapters."

The representative of the Islamic Republic of Iran submitted the following written statement:

"The Programme of Action, although it has some positive elements, does not take into account the role of religion and religious systems in the mobilization of development capabilities. It suffices for us to know that Islam, for example, makes it the duty of every Muslim to satisfy the essential needs of the community and also imposes the duty of showing gratitude for benefits by utilizing them in the best possible way, as well as the duties of justice and balance.

"We therefore believe that the United Nations should convene symposiums to study this matter.

"There are some expressions that could be interpreted as applying to sexual relations outside the framework of marriage, and this is totally unacceptable. The use of the expression 'individuals and couples' and the contents of principle 8 demonstrate this point. We have reservations regarding all such references in the document.

"We believe that sexual education for adolescents can only be productive if the material is appropriate and if such education is provided by the parents and aimed at preventing moral deviation and physiological diseases."

The representative of Malta submitted the following written statement:

#### *"Reservations on chapter VII*

"In joining the consensus, the delegation of Malta would like to state:

"The delegation of Malta reserves its position on the title and provisions of this chapter and in particular on the use of such terms as 'reproductive health', 'reproductive rights' and 'regulation of fertility' in this chapter and in other parts of the document.

"The interpretation given by Malta is consistent with its national legislation, which considers the termination of pregnancy through induced abortion as illegal.

"Furthermore the delegation of Malta reserves its position on the provisions of paragraph 7.2, in particular on 'international human rights documents and other relevant United Nations consensus documents', consistent with its previous acceptance or non-acceptance of them.

#### *"Reservations on chapter VIII, paragraph 8.25*

"In joining the consensus, the delegation of Malta would like to state:

"The termination of pregnancy through procedures of induced abortion is illegal in Malta. The delegation of Malta therefore cannot accept without reservation that part of paragraph 8.25 which provides for 'circumstances in which abortion is not against the law'.

"Furthermore the delegation of Malta reserves its position on the wording 'such abortion should be safe' since it feels that this phrase could lend itself to multiple interpretations, implying among other things, that abortion can be completely free of medical and other psychological risks, while ignoring altogether the rights of the unborn."

The representative of Peru submitted the following written statement:

"The delegation of Peru will join in the agreement on the Programme of Action. In its opinion, the negotiations which are culminating today in the adoption of the Programme of Action have also demonstrated that positions diverge on some of the substantive

concepts of the Programme and that the international community clearly wishes to reach agreements which we hope will benefit everyone; we welcome this attempt to reach consensus.

"However, the Government of Peru wishes to place on record the following points:

"1. The main lines of the Programme of Action will be implemented in Peru under the Constitution and laws of the Republic and, *inter alia*, under the international human rights treaties and the Convention on the Rights of the Child, which have been duly approved and ratified by Peru.

"2. We must mention in this context article 2 of the Constitution, which accords to everyone the right to life from the moment of conception; abortion is rightly classified as a crime in the Criminal Code of Peru, with the sole exception of therapeutic abortion.

"3. Peru regards abortion as a public health problem to be tackled mainly by means of education and family planning programmes. Accordingly, the Constitution acknowledges the fundamental role played by the family and parents in the form of responsible paternity and maternity, which is nothing more than the right of parents to choose freely and voluntarily the number and the spacing of their children. The same applies to their chosen method of family planning, provided that it does not place life at risk.

"4. The Programme of Action contains concepts such as 'reproductive health', 'reproductive rights' and 'fertility regulation', which in the opinion of the Peruvian Government require more precise definition, with the total exclusion of abortion on the ground that it is inconsistent with the right to life.

"We should be grateful if this interpretative reservation on the Programme of Action could be duly placed on record.

"Finally, we wish to endorse the congratulations and thanks expressed by other delegations."