**Center for Reproductive Rights – Latin America and the Caribbean Program**

1. **What do we do?**

The Center for Reproductive Rights (CRR)1 is a global legal organization that uses the power of law to advance reproductive rights as fundamental human rights. These rights include access to legal and safe abortion, birth control, quality maternal health care, and information, among others.

The Latin America and the Caribbean (LAC) Program develops strategies to guarantee access to sexual and reproductive rights, education and services; decriminalize abortion; defend women unjustly prosecuted under prohibitive abortion laws in five countries of the region (El Salvador, Honduras, Jamaica, Nicaragua and Dominican Republic); improve access to maternal health care, emergency contraception and other services, with a special focus on sexual violence victims; and secure reproductive rights in transitional justice settings.

Along with its partners in the region, the Center uses strategic litigation to hold governments accountable, secure equal access to justice, and obtain redress and reparation for sexual and reproductive health and rights violations and gender-based violence faced by women, girls and adolescents. The Center’s litigation and advocacy work before the United Nations System and the Inter-American Human Rights System has allowed it to create an international network of experts, who are convinced on the importance of promoting legal and policy changes at a national level to reach gender equality and the full enjoyment of reproductive rights—which States are entitled to recognize and protect as fundamental human rights.

For more than 25 years, the Center has created global standards that recognized the States’ duty to guarantee and protect women’s rights, specifically their reproductive rights.  It has litigated ground standards that recognize the right to reproductive autonomy, quality maternal health care, voluntary termination of pregnancy, due diligence and reparation for sexual violence against girls, and a life free of discrimination or violence. These are some of the cases for which we have litigated in LAC: [KL vs. Perú](https://reproductiverights.org/peru-apologizes-to-k-l/) before the Human Rights Committee; [LC vs. Perú](https://reproductiverights.org/peruvian-government-publicly-recognizes-human-rights-violations-against-rape-survivor-as-part-of-landmark-u-n-abortion-case/) and [Alyne vs. Brazil](https://reproductiverights.org/en-el-nombre-de-alyne-una-victoria-historica-de-los-derechos-humanos/) before the CEDAW Committee; and most recently, [Paola Guzmán Albarracín v. Ecuador](https://reproductiverights.org/center-reproductive-rights-paola-case/) and [Manuela v. El Salvador](https://reproductiverights.org/ruling-manuela-v-el-salvador/) before the Inter-American Court of Human Rights.

1. **Our work around toxins and reproductive health**

**Background:**

Environmental health, public health and human rights are strongly intertwined. Governments all over the world, including in Latin America and the Caribbean, have indiscriminately used chemicals and pesticides for different purposes, yet these chemicals can have disproportionate effects on the environment, communities, people´s health and nutrition.

There are numerous scientific and media reports, as well as some international statements, regarding human rights violations due to people and the environment´s exposure to toxic substances that are classified as highly dangerous by the World Health Organization (WHO). There are human rights´ standards that establish States´ responsibility to inform about the risks of these chemicals and prevent these risks from happening, in addition to guarantee—as a precautionary measure—that no chemical or toxic substance with high risks to human health and the environment is used.

Nonetheless, governments in Latin America and the Caribbean do not have regulations nor policies on the use of pesticides to protect citizens from exposure—even to those that are classified as highly dangerous by global health organizations. These highly dangerous pesticides exhibit high accuse toxicity, and they have been proven to cause irreversible damage to human health and to the environment. Indeed, these damages translate into several diseases like cancer and problems in reproductive health that mainly affect rural women, campesinos, indigenous and afro communities. These pesticides include glyphosate, which for instance, the Colombian government has used for its aerial fumigation program on illicit crops[[1]](#footnote-1); and its harmful effects on reproductive health encompass fertility problems, miscarriages, as well as perinatal and transgenerational effects (Center for Reproductive Rights, 2020). Second-generation effects include leukemia and adverse impacts on mental and psychomotor development, among others. Against this backdrop and as part of the work that the Center for Reproductive Rights (CRR) has carried out in recent years to document reproductive rights violations in the context of the [Colombian armed conflict](https://reproductiverights.org/wp-content/uploads/2021/09/ENG-FULL-Reproductive-Violence-Conflict-Colombia.pdf), one of the central areas that emerged was the link between reproductive rights and living in environments exposed to toxic substances—in the case of Colombia, the use of glyphosate as part of the state’s policy to eradicate illicit crops during the [armed conflict](https://reproductiverights.org/the-colombian-government-should-not-restart-glyphosate-spraying-because-it-causes-reproductive-health-risks/). In response to a detected need, the Center for Reproductive Rights partnered with the Universidad del Valle to conduct a study that would enable drawing scientific conclusions from the available evidence on whether these harmful effects on reproductive health exist as a result of exposure to glyphosate. As a result, **the main findings of the study showed** **“*a clear consistency with the harmful effects of glyphosate on reproductive health*.”**

With respect to the violation of human rights, it must be established that people have not permitted the influx of these pesticides, they do not have information about their health effects, and, in the specific case of small-scale farmer and Indigenous communities, they have not approved the use of these chemicals and are not informed about the damage they cause to the territory as part of their collective rights.

On December 17th 2021, a letter was sent to President and Congress of Colombia by seven [UN experts](https://www.dejusticia.org/siete-relatores-de-la-onu-le-piden-a-duque-que-replantee-volver-a-las-fumigaciones-con-glifosato/) asking to reject the intention to reactivate the Program for the Eradication of Illicit Crops with Glyphosate. This letter was result of advocacy actions conducted by civil society organizations.

CRR is one of the litigating organizations in the first case on the use of glyphosate and harm to human health before the Inter-American Commission on Human Rights. This case is about [Yaneth Valderrama,](https://www.elespectador.com/judicial/glifosato-el-primer-caso-por-muerte-que-admite-la-cidh-article-871721/) a small-scale woman farmer who, after being sprayed with glyphosate, began to feel severe abdominal pain and had to be transferred to a hospital. She arrived with an incomplete miscarriage and underwent a curettage procedure, after which her health symptoms worsened, and she had to be transferred to another health institution. After several weeks of intense pain, she died there on March 23, 1999. The IACHR declared the case [admissible](file:///C:\Users\martinezc\Downloads\Informe%20No.%2076\18%20(jep.gov.co)) due to possible violations of the American Convention on Human Rights with respect to the right to life, personal integrity, movement and residence, equality before the law, judicial protection, and economic, social, and cultural rights.

This case represents an opportunity to hold the Colombian state internationally accountable for its use of this chemical and its consequences on human and environmental life and health. A substantive decision on this case would compel the Colombian state to adopt public policies with a gender perspective on the state’s responsible use of toxic chemicals, and it would represent a precedent for other states in the region that are also part of the Inter-American Human Rights System and have the same obligations.

1. Ibid. [↑](#footnote-ref-1)