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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Sikh Human Rights Group, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2023]

* Issued as received, in the language of submission only.



End Discrimination and Stigma Around Menstrual Health

As a submission to the Interactive Dialogue with the Working Group on Discrimination Against Women and Girls, we refer to Resolution 47/7 on panel discussion on menstrual hygiene management, human rights, and gender equality. The Council's commitment to addressing the human rights of women is evident and commendable given the sufficient time allocated for its programme of work for discussions on measures to address human rights violations experienced by women.

We appreciate the report of the panel discussion on menstrual hygiene management, human rights, and gender equality, held during the Council's fiftieth session (A/HRC/53/40), in accordance with resolution 47/4.

Since last year's panel, we have been pleased to see broader, less stigmatising language used when discussing menstruation within UN and a new EU law allowing states to exempt VAT on menstrual products. We at the Sikh Human Rights Group have proposals for discussions around 47/4 that could further help eliminate discrimination against women and girls.

1. Explore Menstruation as a Health Subject Rather Than Just a Hygiene Topic- Encouraging Better Education on Menstruation Overall.

Discussing menstruation as a health topic not only encourages reproductive health educators to teach the menstrual cycle to be used as a fifth vital sign, a window into our overall health, but also creates the opportunity to broaden the discussion on menstruation and allow us to challenge gendered-based tax discrimination, stress menstrual products aren't luxury items to be taxed with little regulation; explores the health, ethical and environmental impacts of menstrual products; the rights to education; rights of the child and prevent child marriage; right to health, both physical and mental; rights to work as well as access to adequate water and sanitation. All of these have ties to menstruation too.

A key example is that menstruation and child marriage are interconnected in several ways. Child marriage often intersects with the onset of menstruation. In some cultures child marriage occurs around a girl's first menstruation. The onset of menstruation is sometimes seen as an indicator of marriageable age in specific cultural contexts, leading to early and forced marriages.

Addressing child marriage requires comprehensive approaches that promote gender dignity, access to education, and awareness about reproductive health, including better education on menstrual health. By empowering girls, challenging cultural norms that need to catch up with a changing world, and supporting their education and reproductive health needs, we can contribute to reducing the incidence of child marriage and promoting the well-being and rights of girls and young women.

2. Stricter Regulations on Menstrual Products

It was noted in the 47/4 resolution "that the management of used menstrual hygiene management products is often neglected, resulting in inappropriate and unsafe disposal practices and leading to unsanitary living conditions and environmental degradation, as well as to health risks".

SHRG feels that given the taboo and stigma attached to menstruation, there is little conversation about product access, cost, and quality. We need the Human Rights Council and the United Nations Population Fund to work closely with menstrual products providers to ensure:

- **Access and Affordability- removal of the tampons tax:** There is a need to encourage better regulations on the pricing of products. A woman's right to be free from discrimination is violated when menstrual products are subject to sales tax, particularly as there are no similar products that men must use to cope with an involuntary, biological

monthly occurrence. Male products (Viagra and hair loss cream) that are primarily used by men and are not a necessity, but used as choice, are not subject to taxation. Taxing products used mainly, or even exclusively, by women is to tax them based on their sex, something which is prohibited by international human rights norms.

We are concerned that while the global push to remove the tampon tax is building momentum and we see success, we are noticing suppliers increase their pre-tax prices so that the consumer does not feel a price difference. We ask the Human Rights Council to encourage better regulations on the pricing of products and the quality of the products.

Such action complements the Convention on the Elimination of Discrimination Against Women and the Vienna Declaration and Programme of Action. Specifically, section 3 on women's equal status and human rights, point 39 reads [WCHR] “urges the eradication of all forms of discrimination against women, both hidden and overt”.

We share the concerns of Franja Zagorc, the public relations officer at the Slovenian Ministry of Finance. Removing the VAT allows suppliers to take advantage of the price drop and increase their prices to profit more. We need the UN and national governments to work together to regulate supplier costs better to prevent gender-based discrimination and exploitation. There are other issues too:

- **Health Risks:** Some menstrual products may pose health risks to users. For example, certain tampons made from synthetic materials and bleached with chlorine may contain traces of dioxins, which are toxic substances. Prolonged exposure to such chemicals can potentially lead to health issues. Additionally, scented products or those containing fragrances may cause skin irritation or allergic reactions. For instance, ensuring the cotton in the products is not covered in fertiliser.
- **Lack of Regulation:** The menstrual product industry is not always well-regulated, which can result in inadequate product labelling, misleading advertising, and insufficient information about the materials used. This lack of transparency can make it difficult for consumers to make informed and safe choices.
- **Environmental Impact:** Most conventional menstrual products, such as disposable pads and tampons, contribute to environmental pollution. These products contain plastics and synthetic materials that take a long time to decompose, leading to increased waste in landfills. Additionally, the production and disposal of these products contribute to carbon emissions and other environmental problems. In countries that can afford to, we need to push for more investment into menstrual pads made from plant fibres and natural adhesives, making the pads solid and absorbent when worn, but 100% biodegradable when flushed or in a large volume of water.

3. We Ask States to Positive Steps Like Scotland that Provide Access to Free Period Products - Period Products (Free Provision) (Scotland) Act 2021

SHRG realises that making menstrual products accessible globally is a complex challenge that requires a multifaceted approach involving governments, organisations, and individuals. While achieving complete global free distribution of menstrual products may be difficult, some steps can be taken to increase access and affordability. Here are some potential rights-based approach strategies:

- **Government Initiatives:** Governments can play a crucial role in addressing the issue of menstrual product affordability. They can consider implementing policies that provide free or subsidised menstrual products in schools, workplaces, and public spaces. This can help ensure that individuals can access these essential items without financial barriers. We encourage this action as we have carried out our research in schools in the United Kingdom of Great Britain and Northern Ireland, Hungary, Ghana, and Uganda, and there have been better attendance and less stigma and shame of girls when they know they have free menstrual products in their bathrooms.

- **Non-Profit and Community Organisations:** Non-profit organisations and community groups can work to provide free menstrual products to those in need. They can set up distribution centres, collaborate with schools and community centres, and organise donation drives to collect and distribute menstrual products.
- **Education and Awareness:** Education about menstruation and menstrual hygiene is essential to combat stigma and improve product access. Educational programs can be implemented in schools, community centres, and healthcare facilities to provide information about menstrual health, hygiene practices, and the importance of using safe and appropriate products.
- **Industry Collaboration:** Collaboration between menstrual product manufacturers and non-profit organisations can help increase access. By working together, these entities can explore options for cost reduction, donate products, or develop sustainable business models that prioritise affordability and accessibility.
- **Advocacy and Policy Change:** Advocacy efforts can focus on raising awareness about the need for free menstrual products and pushing for local, national, and international policy changes. Activists and organisations can lobby governments, engage with policymakers, and campaign for legislation that ensures access to menstrual products as a fundamental right.
- **Research and Innovation:** Encouraging research and innovation in menstrual product design can lead to the development of affordable and sustainable alternatives. This includes exploring reusable options like menstrual cups, washable cloth pads, or innovative technologies that provide cost-effective solutions.

In conclusion, we reiterate our support for the Human Rights Council's efforts to eliminate discrimination against women and girls with a focus on menstrual health, human rights, and gender equality. We believe that the various mechanisms, such as the Special Rapporteur, the Working Group, and the annual discussions, play a vital role in advancing the human rights of women and girls worldwide. We encourage the Council to continue its essential work in this area and promote good health, dignity, respect and freedom from stigma and lack of choices for every girl and woman.
