

Complaint to the Special Rapporteur on the Right to Health on Violence Against Women in Reproductive Healthcare Procedures

Zagreb, 31 October 2018
Prepared by
Roda – Parents in Action, Croatia



Correspondence:

**Special Rapporteur on the right to health, Mr. Dainius
PURAS**
c/o Office of the High Commissioner for Human Rights
– Palais Wilson
United Nations Office at Geneva
CH 1211 Geneva 10
Switzerland
Email: urgent-action@ohchr.org

Roda – Parents in Action
Žerjavićeva 10, 10.000 Zagreb
Croatia
Tel: +385 1 6177 500
Fax: +385 1 6177 510
Email: roda@roda.hr

Complaint

On Thursday, October 11th, 2018, Croatian Member of Parliament Ivana Ninčević Lesandrić, stood up and told her very personal story of obstetric violence to the House and Minister of Health.

"I had a miscarriage. They tied my hands and feet and began the curettage procedure without any anesthesia. They scraped my uterus without anesthesia. Those were the most torturous 30 minutes in my life. I can describe every second to you because they were the worst 30 minutes of my life. Thirty minutes of degradation for every one of the thousands of women who have signed petitions to end this type of care."

The Speaker of the House reprimanded her for going over her allotted time and told her that she had put him in a very uncomfortable position telling such an intimate story in the Parliament. The Minister of Health, who was also present, responded to her statement by saying: "Croatian hospitals don't do things like that. Give me your medical documentation so I can explain why anesthesia was contraindicated."

Sadly, MP Ninčević Lesandrić's experience is not an outlier that can be explained away, but rather one of thousands of similar horror stories of unnecessary denial of access to pain control, substandard care, humiliation and discrimination of women by medical staff during standard reproductive health procedures in Croatia. In 2014, Roda sent an open letter to then Minister of Health Dr. Siniša Varga calling for an end to this type of discriminatory and inhumane treatment of women accessing reproductive health services in Croatia. **The authorities' response to both the campaign in 2014 and MP Ninčević Lesandrić's testimony in Parliament in 2018 was one of indifference to the suffering of women, discreditation of women's experiences and showed a complete lack of political will to take effective measures to eliminate discrimination against women in healthcare and ensure women's equal access to comprehensive health services, including access to pain relief during standard reproductive health procedures.** Thus, the Ministry is ignoring Croatia's commitments under the Convention on the Elimination of All Forms of Discrimination against Women, Article 12(1) to take all appropriate measures *to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services.*

As a response to the official attempts to discredit MP Ninčević Lesandrić's story, Roda - Parents in Action, a large Croatian parents' organization, called for women to send their testimonials of procedures in reproductive health conducted without anaesthesia, using the hashtag #PrekinimoŠutnju, or #BreakTheSilence. In only two and a half days, Roda collected 400 handwritten stories of procedures ranging from biopsies, medically assisted reproduction treatments, surgical miscarriages and surgical removals of placenta as well as suturing after vaginal birth being conducted without anaesthesia. In the weeks that followed, hundreds more stories flowed in from all over the country, spanning all regions and over two decades of women experiencing discrimination, misogyny, denial of access to pain relief, and unethical treatment when accessing reproductive health care services in Croatia. Some of these stories are attached to this communication, with translations in English.

The reactions of leaders of some of the most important Croatian healthcare institutions and professional organisations during this period have shown an overall lack of concern, denial of the existence of a problem, questioning the credibility of the women's stories and women's perceptions of pain in general, to blaming the problem on a deficit of anesthesiologists. Instead of reacting with alarm to testimonials

of discrimination, human rights abuses and denial of access to pain relief, and insisting immediate and effective measures be taken to protect women's reproductive health, leaders of public health institutions and organisations were among the first to demean and question the truth of thousands of women's stories of pain and suffering, questioning their intelligence and credibility.

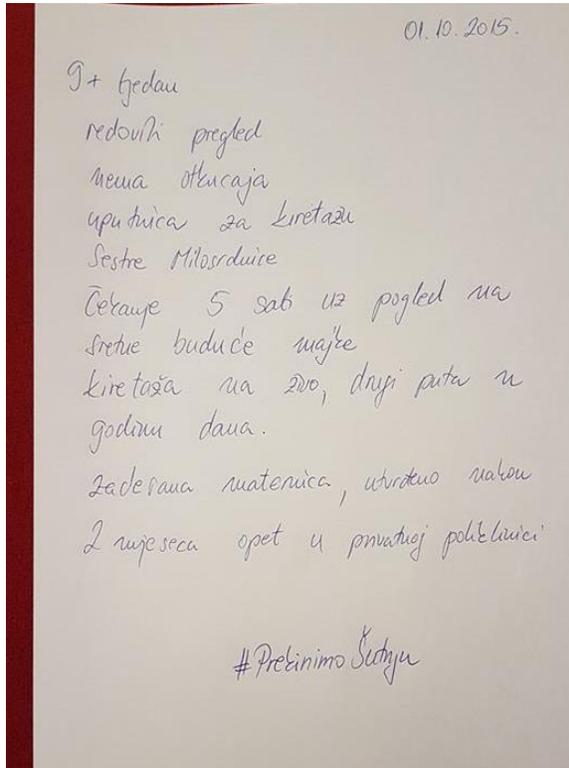
The stories women have sent clearly show that legislated mechanisms for protecting patient's human rights do not function in practice in Croatia. Years of attempts and requests made by various stakeholders to the Ministry of Health have not resulted in any improvements, but have instead repeatedly demonstrated a lack of political will inside the health sector to adequately respond to these egregious abuses of women's health rights. Indeed, the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, on his visit to Croatia in 2016 noted the "strong opposition among policymakers and within society at large towards well-established standards, instruments and mechanisms for the promotion and protection of women's sexual and reproductive health rights." The Special Rapporteur went on to recommend that priority be given to women's and children's rights in the area of sexual and reproductive health, and set out recommendations, which the Ministry of Health has not yet addressed with any specific measures. There are concerns that gynaecologists would like to handle the problem within a closed circle of professionals, having the profession monitor itself, without including stakeholders from other sectors.

For this reason, and after many years of women's suffering being ignored, and patient representatives' and women's rights advocates recommendations being denied, on October 24th, **Roda wrote a letter to Prime Minister Andrej Plenković calling on him to begin urgent procedures for the preparation of an Action Plan for Women's Health for 2019-2021 by International Human Rights Day 10 December 2018** and to express concern about announcements that inspection teams will be visiting Croatian healthcare facilities, consist only of physicians and do not include other stakeholders or patient representatives. More specifically, similar inspections to date have sought to bury problems instead of addressing them, and have led to no improvements in the protection of women's health rights. Indeed, RODA's concerns about the aims and effectiveness of such measures were only buttressed by the Minister of Health Mr. Kujundžić's statement on October 26th, that all those who are found guilty will face punishment, **including women whose testimonials turned out to be untrue**. Such a statement is clearly geared towards silencing any more women from coming forward out of fear of punishment, and does On October 29th, RODA expressed its concerns with the Minister of Health and called again on the Prime Minister to begin urgent procedures for the preparation of an Action Plan for Women's Health, to show that his Government protects the dignity of women and their right to life without violence, including reproductive and institutional violence. **To date, there has been no response from the Prime Minister's Office.**

We are calling on you, especially in light of your visit to Croatia in 2016, to monitor this process closely, and to consider launching an investigation on the systemic and institutional violations of women's rights to health and dignity in healthcare in Croatia.

A Selection of Women's Stories with English Translation

These are a few of the more than 500 stories sent to RODA in October 2018 during the #PrekinimoŠutnju (BreakThe Silence) campaign.



“October 1st, 2015

9 weeks pregnant

There's no heartbeat

Scheduled for a curettage

Sisters of Charity Hospital Zagreb

Spent 5 hours in the waiting room looking at happy mothers-to-be

Curettage performed without anesthesia, for the second time that year.

Two months later I went to a private doctor and found out my uterus had torn.”

KOLVOZ 2015. g., SPONTANI ROBAČAJ U 9.++
(1. TRUDNOĆA). KIRETAŽU NA ŽIVO OBAVLJA
DR. U PETROVOJ BOLNICI U ZG. POD
IZUJOM "OVO JE SAMO PREGLED",
LEGNEM NA GINEKOLŠKI STOL, I TAD
POČINJE TORTURA. URLAM OD BOLA,
ŽELIM SKUPITI NOGE, ALI DVIJE SESTRE
ME DRŽE. JAČE SU OD MENE.

#prekinimo šutnju

"August 2015., I had a miscarriage at 9 weeks (1st pregnancy). Curettage was performed without anesthesia by a doctor in Petrova hospital in Zagreb under the guise "This is just an examination". As I laid on the gynecological table, the torture began. I was screaming in pain, I wanted to gather my legs, but there were two nurses holding me down. They were stronger than me."

ZAMOLILA SAM DA ME NE REŽU.
DOKTORICA GOVORI DA ĆU POPUĆATI JONDA I
KAKO MIŠIM RODITI AKO NE MOGU
TRPITI BOL. PRIMAJA ME REŽE, BEZ
PRIVOKE I OBJAŠNJENJA I UPOZORENJA
JAKO SE BOLJELO. NITKO MI NIŠE
REKAO ZAŠTO SU REŽALI.
MJESEC DANA NE MOGU SJESTI, NORMALNO
DOJITI, IĆI NA WC...
FIZIČKA BOL PRESTALA. EMOTIVNA
NIKAJ. REŽANJE BEZ NAJAVE.
SVAKI POGLED NA ŠKARICE ME SJETI TOGA.
NOĆU SE JOŠ BUDIM IZ TE NOĆNE
MORE.
BOLIM SE DRUGI PUTA RODITI JER
VIDIM DA NE POSTUJU ODLUKE KOSE
DNJESEM NA D SVOJIM TJELOM.
NE OBJASNE ZAHVATE KOSE RADE
NA MOJEM TJELOU...
BOLI. ZAVVIŠEK OŽILJAK!
#prekinimoŠutju MERKUR, 03.2017.

"I asked them not to cut me. The doctor said I was going to tear if they don't do it and how will I ever give birth if I can't stand the pain. The midwife cut me, without consent, explanation or warning. It hurt badly. Nobody told me why they cut me anyway.

I could not sit for a month, breastfeeding was difficult, going to the toilet too...

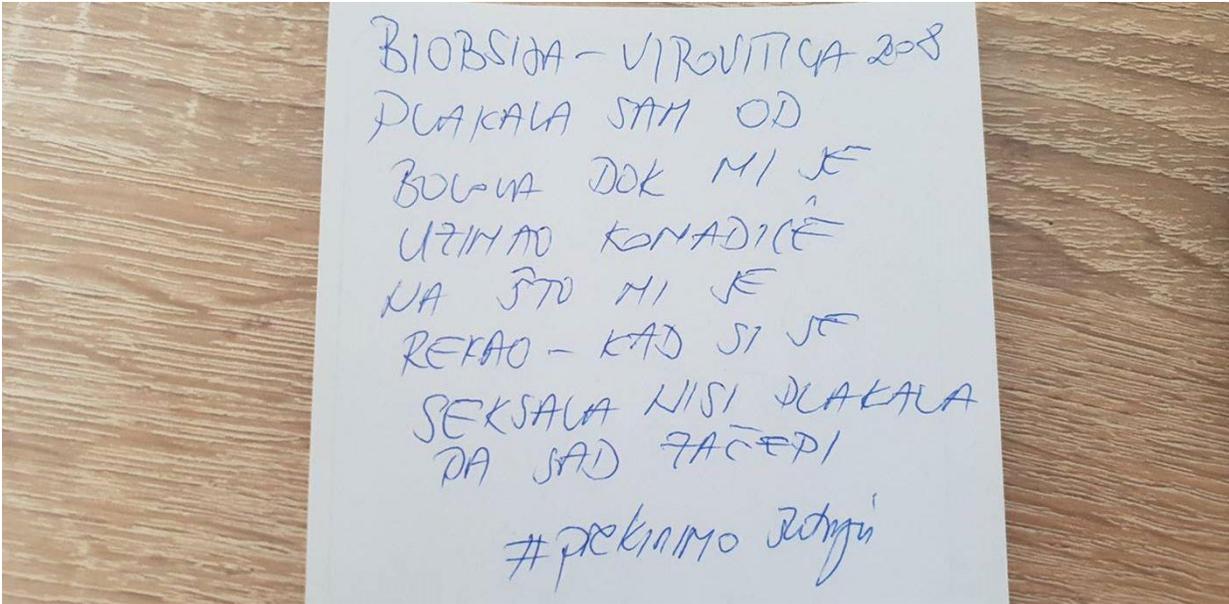
The physical pain went away, but the *emotional pain - never*. Cutting without notice. I remember that every time I see a pair of scissors. I still have nightmares about it.

I'm afraid to give birth for a second time because it's obvious that they "don't respect" my decisions *about my own body*.

*They don't explain the procedures they'll perform."

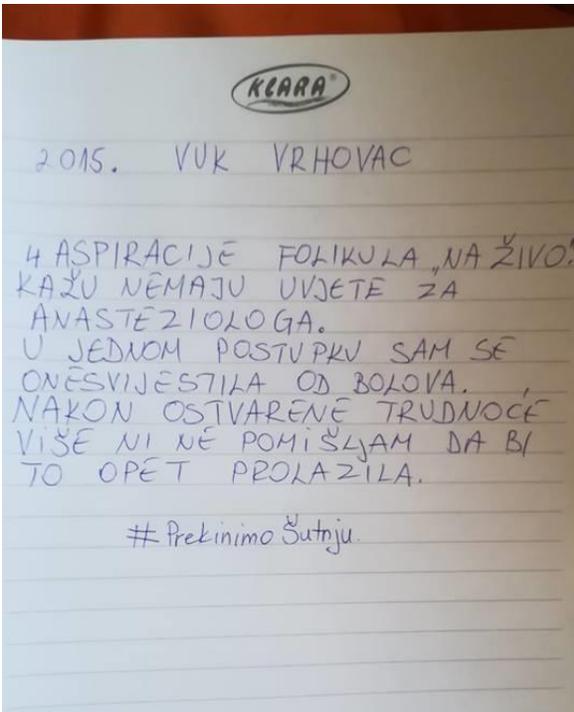
It hurts. My scar will stay forever!"

Merkur Hospital, Zagreb (March 2017)



Biopsy, Virovitica 2008.

"I was crying while the doctor was taking samples and he said "you didn't cry while having sex so just shut up now"



2015. Vuk Vrhovec

"4 follicular aspirations without anesthesia. They said they don't have place for an anesthesiologist. Throughout one procedure I fainted from pain. After accomplished pregnancy I never even think to go through with that again."

PETROVA BOLNICA, 2018. godina

- POLUSATNO ŠIVANJE NAKON PORODA BEZ IKAKVE ANESTEZIJE I LIJEKOVA PROTIV BOLOVA UZ BEZOBRAZNE KOMENTARE SPECIJALIZANTICE KOJA JE „IMALA LOŠ DAN I SAD SE JA TU TRESEM DOK ME ONA ŠIVA“

- DO JUČER SAM MISLILA DA TO TAKO MOŽA BITI I DA POROD I ŠIVANJE BOLE I DA SE TO JEDNOSTAVNO MOŽA ISTRPITI

HVALA ŠTO NAM

OTVARATE OČI!!!

PREKINIMO
ŠUTNJU

Petrova Hospital, year 2018.

“30-minute stitching after labor with no anesthesia and antipain medication with rude comments from a resident who ‘had a bad day and now I am shaking while she is doing the stitching.’

Until yesterday I thought that’s how it’s supposed to be, and that labor and stitching hurt and that simply you must endure it

Thank you for opening our eyes!!!”

2003. godina – Bjelovar
Nakon poroda doktor me šivao.
Bolfelo je, strašno, a ja sam bila
izmučena od poroda i jedino me
pomisao da je beba dobro držala
prisebna i mirna. Bolfelo je, svaki ubod
iglom. Bila sam mlada i nisam se
zuala izboriti. Mislila sam da tako
treba biti. Rekli su, neće boljeti dok
je još vruće. Šutjela sam kao komad mesa.
#prekinimosutnju

2003 – Bjelovar

“After labor the doctor performed the stitching. It hurt, horribly, and I was worn out from labor and the only thing keeping me sane and calm was the thought that the baby is okay. I was young and didn’t know how to fight for myself. I thought that’s how it’s supposed to be. They said it won’t hurt while it’s still hot. I was in silence like a piece of meat.”

OB DUBROVNIK, 2010. g.

NAKON PORODA TIJEKOM KOJEG
NISAM NI GLASA ISPUSTILA,
ŠIVANA SAM BEZ ANESTEZIJE.

JAVKALA SAM NA SVAKI UBOD
IGLE. DOK SU SUZE TEKLE
NIZ LICE, MOLILA SAM DOKTORA
ILI DA PRESTANE ILI DA MI
DA NEŠTO ZA BOLOVE.

NJEGOV KOMENTAR JE BIO
DA IZDRŽIM, JER DA ME
ŠIVA ZA MUŽA!

#prekinimošutnju

OB Dubrovnik, 2010.

“After the labor during which I didn’t make a sound, I was stitched without anesthesia. I was screaming on every poke of the needle. While the tears were running down my face I begged the doctor to either stop or give me something for pain. His response was to endure, because he is stitching me for my husband!”

Osijek 2015

“Hitno hospitalizirana, 12 sati ležim u sobi sa trudnicama i čekam kiretažu. Dlazi sestra i kaže mi skini gaćice, ostavi ih u krevetu i prošetaj do sale! Krevet sav krvav, ja krvava i kaplje mi između nogu dok se tako „šetam“ pred svim ostalim pacijenticama. Druga sestra komentira „O majko Isusova, šta je ova napravila!“ Kreće kiretaža bez anestezije, vrištim, govorim da više ne mogu izdržati, sestra mi donosi tabletu protiv bolova! A doktor kaže: “A sad se smiri da ti ne probijem maternicu! Sestra me „tješi“ i govori: „Ajde preživjela si porod, možeš i ovo, stisne zube!“ E pa bilo je 100 X gore od poroda.””

"Urgently hospitalized, I lied in the room with pregnant women for 12 hours and awaited surgical miscarriage. The nurse comes and tells me to take off my panties, leave them in the bed and to walk to the hall! The bed is all bloody, I am bloody, and dripping between my legs while I'm "walking" in front of all the other patients. Another nurse remarks, "Mother of Jesus, what did this one do?" Then comes the curettage without anesthesia, I'm screaming, saying I can't take this any longer, and the nurse brings me a pill for the pain! The doctor says, "Now calm down so I do not puncture your womb!" The nurse "comforts me" and says, "Come on, you survived the birth, you can survive this too, clench your teeth!" Well, this was 100 times worse than birth.”"

Zagreb

“2 dana nakon pobačaja izvedenog u bolnici u Zagrebu morala sam ponovo na kiretažu. Još otprije traumatiziranu maternicu doktor je strugao bez anestezije okružen veselim timom koji se „šalio“ sa mnom da se to događa kad previše voliš muškarce. Tada sam bila mlada, ali danas mu sigurno ne bih ostala dužna i sve bih prijavila.”

“Two days after my abortion at a Zagreb hospital, I had to go into surgery again. The doctor scraped my already traumatized womb without anesthesia, surrounded by a cheerful team that “joked” with me that this is what happens when you like men too much. I was young then, but today I would not let him get away with it, and I would report everything.”

Slavonski Brod, 2017

“Raptura maternice i vagine. 50 minuta šivana bez anestezije! 18 dana poslije sam prvi put „sjela“. Porod je ništa u usporedbi s tim što je nakon uslijedilo. Noćima sam muža budila jer me hvatala panika kad se sjetim riječi doktorice: „Jao što je ona dobra, pa ne čuje se da je živa.“ A ja ostala bez glasa nakon 15 min. Vrištanja. Ne pomišljam još da ću ikada više rađati!”

„Rupture of the womb and the vagina. 50 minutes of sewing stitches without anesthesia! 18 days later, I sat down for the first time. Giving birth is nothing compared to what followed. For nights, I would wake up my husband in panic, remembering the doctors words: „Wow, she is so good, you cannot hear that she is alive.“ But I was left voiceless after 15 minutes of screaming. I do not think I will ever give birth again!”

Zagreb

“Kao studentica medicine na turnusu iz ginekologije u Petrovoj bolnici 2002. god., u više navrata sam osobno svjedočila postupcima aspiracije folikula u MPO-u. Apsolutno svi postupci, i bez iznimke, odrađeni su bez ikakve anestezije. Lica i bol tih žena jasno su se urezale u moje sjećanje kao nešto što nikad ne želim proći. Ništa manje upečatljivi nisu bili komentari osoblja koje je izvodilo postupak (ginekolozi, sestre) – „Dajte se smirite već jednom“ i „Prestanite cmizdriti“ Jednostavno me sram, kao liječnica, da dan danas, 16 godina kasnije, isto postupci se rutinski odrađuju bez anestezije!!!“

"As a medical student in gynecology, doing my practice at Petrova Hospital in 2002, I personally witnessed follicle aspiration in medically assisted insemination many times. Absolutely all procedures, without exception, were performed without any anesthesia. The faces and pain of those women were clearly engraved in my memory as something I never wanted to go through. No less impressive were the comments of the staff who performed the procedure (gynecologists, nurses)- „Calm down already“ and „Stop whining“. As a doctor, I am simply ashamed, that today, 16 years later, the same procedures are being routinely done without anesthesia!!!“

Sveti Duh, 2016.

“Nakon teškog poroda di su me filali dripom, odbijali ikakvu anesteziju i gdje mi je dijete na kraju rođeno na vakuum te nije odmah zaplakalo pa su ga brzo odnijeli od mene (srećom živo i dravo je danas). „Šlag na tortu“ je bilo šivanje na živo i to „kozmetičko šivanje“ da bolje izgleda mužu (riječi mladog specijalizanta koji je to obavio). Šavovi su pukli čim sam iz rodilištva doma došla.“

"After a difficult birth, where I was filled with the drip, denied any kind of anesthesia, and where my baby was eventually born with a vacuum, and did not cry out immediately so was taken from me (happily alive and health today). The „icing on the cake“was suturing without anesthesia, and „cosmetic stitching“ at that – so that it looks better for my husband (the words of the young Specialist who performed the procedure on me). The stitches fell apart as soon I arrived home from the maternity ward.”