

Menstrual Discrimination is an Underlying Cause of Gender Stereotypes, Systemic Inequalities, and Patriarchal Power Structures

Submission for the CEDAW Committee's General Recommendation 41

I. Introduction

A. Global South Coalition for Dignified Menstruation (GSCDM)

GSCDM established in 2019, is a survivor-led international coalition, with its secretariat at Radha Paudel Foundation in Kathmandu, Nepal. The coalition aims to transform the narrative around menstruation from a narrow scope on menstrual health and hygiene management of the periodic menstrual cycle to a comprehensive life-cycle perspective centered on dignity¹.

GSCDM initiated International Dignified Menstruation Day on December 8th, strategically positioned during the 16 Days of Activism against Gender-Based Violence. This date highlights the coalition's position of recognition of menstrual discrimination as both a form of gender-based violence and a human rights violation.

With a network of over 90 NGO members worldwide, GSCDM conducts extensive advocacy work through research, educational webinars, publications, training programs, and awareness campaigns. Their work spans continents, bringing together diverse perspectives from the Global North and Global South to address menstrual dignity as a fundamental human right.

B. Menstrual Discrimination

Menstruation is not merely a periodic biological event but a continuous life cycle that defines the experiences of approximately 4.06 billion people globally, representing 49.72% of the world's population as of 2024². While 1.9 billion people are of reproductive age and actively menstruating, menstrual discrimination affects menstruators (people born with ovaries and uteri, including women and girls and transgender men and non-binary individuals) in all diversity throughout their lives. These menstruators are present across every stratum of society - from corporate boardrooms to agricultural fields, from academic institutions to refugee camps, from urban centers to climate-vulnerable regions. They span all professional sectors, educational levels, ethnicities, religions, classes, and geographical locations. This broader understanding recognizes that menstruators exist in relation to their menstrual status at all times, not just during their menstruating days.

¹ Global South Coalition for Dignified Menstruation. (n.d.). Dignified menstruation, from <https://www.dignifiedmenstruation.org/>

² UNFPA. "State of World Population Report 2023: Menstruation and Reproductive Health Statistics." United Nations Population Fund, New York.



Menstrual Discrimination is an umbrella term that includes silence, taboos, shame, stigma, restrictions, abuses, violence, and deprivation from services and resources associated with menstruation throughout the life cycle of menstruators - GSCDM, 2019³

Globally, menstruation is seen as “dirty,” “impure,” and a “state of weakness” with various forms, names, and magnitudes, transcending all socio-political boundaries, regardless of geography, education, ethnicity, race, faith, or economic status⁴. The depth of this phenomenon is reflected in its linguistic presence alone - with over 5,000 euphemistic expressions documented globally⁵. In Asia, certain communities enforce menstrual seclusion, food restrictions, restrict participation in public activities, including religious activities, etc. In North America and Australia, menstruators report decreased participation in the workplace and professional activities, along with reduced concentration during menstruation due to internalized status of shame and anxiety about maintaining secrecy around their menstrual status and the impact of menopause⁵. Studies also indicate that many restrict social activities like swimming and exercise due to fears of leakage and subsequent teasing⁵. Similarly, in European countries like Germany, menstruators also express shame about purchasing menstrual products and feel restricted in their participation in routine domestic and academic activities⁵. Even in Nordic countries, traditionally associated with greater gender equality, menstruators report modifying their daily routines, avoiding physical activities, and experiencing heightened consciousness about their clothing choices during menstruation⁵. Across various African regions, menstruators face restrictions related to food consumption, bathing practices, harvesting crops, vegetables, water source access, etc⁵. Many communities also impose limitations on using shared water sources, toilets, and participating in religious activities. In Latin America, discriminatory beliefs lead to dietary restrictions during menstruation, including prohibitions on milk products, pork, and avocado, along with interactions with plants⁵. Additionally, menstruators report experiences of seclusion from domestic activities, restrictions on sun exposure, limited social engagement, etc⁵.

As such, menstruation functions as a biological tribal marker that has been historically weaponized to create social hierarchies. Through this lens, menstruators have been systematically categorized as weaker, inferior, and impure compared to non-menstruators, who are positioned as superior due to their absence of menstruation. This categorization extends beyond simple biological differences to serve as a foundational element of gender-based stereotypes across cultures, communities, and institutions. This false narrative and associated discriminatory practices manifest through a sophisticated network of socio-political controls, ranging from visible explicit violence to invisible forms of violence, all working to construct and maintain unequal power dynamics between menstruators and non-menstruators⁴.

³ Global South Coalition for Dignified Menstruation. (n.d.). Dignified menstruation, from <https://www.dignifiedmenstruation.org/>

⁴ Paudel R., 2020. Dignified Menstruation, A Practical Handbook.

⁵ Paudel, R. (2024). Menstrual stories: An anthology from the Global South. GSCDM.



C. Dignified Menstruation

Dignified Menstruation is a transformative, holistic, human rights-based framework that envisions a world where all menstruators live free from any form of menstrual discrimination at home, school, community, workplace, and everywhere - (GSCDM, 2019)¹

The framework confronts and challenges how menstrual discriminatory practices function as systemic tools of oppression, deliberately constructed to create and enforce gender stereotypes to maintain patriarchal power structures and hierarchies across societies. It exposes how deeply embedded socio-political beliefs, religious restrictions, and institutional barriers operate simultaneously and systematically to suppress menstruators' fundamental human rights, thereby perpetuating and reinforcing power imbalances between menstruators and non-menstruators. Through this critical lens, the framework reveals how seemingly disparate forms of menstrual discrimination collectively serve to maintain systems of social control and gender-based subordination¹.

II. How and Why: Missing Menstrual Discrimination as Root Cause for Gender Stereotypes and Systemic Inequality

A. Menstrual Discrimination is not a "Traditional Harmful Practice."

The international community's classification of menstrual discrimination under the singular term "Chhaupadi" in CEDAW's General Recommendation 31 is problematically reductive and inappropriate. Furthermore, by categorizing it alongside other "Traditional Harmful Practices" such as dowry, witchcraft accusations, son preference, and female genital mutilation, this classification fails to capture both the global scope and inherent complexity of menstrual discrimination.

This mischaracterization is particularly concerning for three key reasons. First, menstruation affects approximately half of the world's population, making its direct impact far more widespread than its current classification suggests⁶. Second, menstrual discrimination manifests in various forms and degrees across different cultures and regions worldwide rather than being limited to a single practice⁴. Third, the term "Chhaupadi" itself has been misappropriated - it simply means "menstruation" in the local Achhami language of a few districts of west Nepal rather than referring to discriminatory practices.

While media attention has focused on certain high-profile cases in west Nepal, such as restrictions on food consumption, religious participation, and agricultural work, these practices are not unique to this region. Similar discriminatory practices exist throughout Nepal and across the globe, transcending boundaries of education, ethnicity, race, class, religion, and geography.

⁶ McAllister, J., Amery, F., Channon, M., & Thomson, J. (2025). Where is menstruation in global health policy? The need for a collective understanding. *Global Public Health*.



Furthermore, often, the media, donors, and NGOs use widely-publicized cases of fatal snake bites in huts as a sole example of menstrual discrimination however, this is a misinterpretation and an assumption that misleads the global interventions for menstrual equity. Such fatal cases are a result of the failure of the state to protect fundamental health rights and the right to education rather than being solely attributed to menstrual discriminatory practices. This mischaracterization diverts attention from the broader systemic issues and state responsibilities at play, further compounding discrimination against Nepal.

B. Menstrual discrimination plays a vital role in the construction of gender stereotypes, systemic inequalities, and patriarchal power structures.

As highlighted above, irrespective of the Global North or Global South, menstruators and non-menstruators begin internalizing menstrual discriminatory perceptions and practices from an early age of 6-9 years⁴. For menstruators, this inherited knowledge systematically erodes their sense of autonomy, agency, and self-worth. They begin to internalize messages that cast them as weaker, inferior, and inherently disadvantaged. Simultaneously, non-menstruators absorb and adopt feelings of superiority and power over menstruators, creating a deeply ingrained socio-political hierarchy. This dynamic becomes self-perpetuating, constructing and reinforcing patriarchal cultural and political norms. The resulting gender stereotypes serve to maintain unequal power structures and systemic inequalities in a vicious cycle⁴.

C. Menstrual Discrimination infringes on child's rights.

Despite the profound impact of menstrual discrimination beginning in childhood, there is a striking absence of recognition and protection in international and national legal frameworks. For example, The Convention on the Rights of the Child (1989) and other national policies fail to acknowledge the consequences of menstrual discrimination on children's development and well-being. Furthermore, primary education curricula omit crucial knowledge about menstruation and the impact of discrimination, leaving children unable to challenge gender stereotypes. Similarly, medical, nursing and public health curricula fail to address the systemic discrimination related to menstruation, menopause, and throughout the life cycle.

D. Menstrual discrimination is a form and cause of GBV, including child marriage.

The UN framework on gender-based violence (1993) identifies four categories of violence against women and girls: sexual, physical, emotional, and deprivation of services and resources. Individual menstrual discriminatory practices often span multiple categories, more than two simultaneously. For example, when menstruators are restricted from harvesting agricultural foods, this constitutes both emotional violence and deprivation of resources and services. This pattern extends to health outcomes - chronic conditions like anemia among menstruators are often misattributed to menstruation itself rather than recognized as the result of sustained nutritional deprivation due to menstrual discriminatory practices.

Furthermore, in regards to child marriage, menstrual discrimination disrupts approximately five days each month for learning and educational opportunities through various practices: requiring early wake times, restricting food access, limiting educational materials, enforcing separate seating arrangements, interrupting educational participation, etc. This amounts to roughly 60 days - or two months - of disruption annually⁷. This results in an increase in absenteeism, leading to an increased risk of educational failures or school dropout, leading to voluntary or forced early child marriage⁷. Despite this significant impact, menstrual discrimination has been overlooked as a key driver of child marriage in global intervention strategies over the past six decades⁷.

E. Menstrual Discrimination is missing in SRHR, including CSE.

The discourse around reproductive justice, Sexual and Reproductive Health and Rights (SRHR), including Comprehensive Sexual Education (CSE), consistently neglects both the scope of menstruation and the impact of menstrual discrimination. This systematic exclusion is evident in major policy frameworks, from the International Conference on Population and Development (1994) and Beijing Platform for Action (1995) to the WHO SRHR strategy (2019), despite menstrual dignity being fundamental to achieving SRHR⁸. Even recent developments, such as the WHO statement modification at the 50th Session of the UN Human Rights Council (2022), fail to explicitly recognize the global scope of menstrual discrimination, instead limiting the focus primarily to menstrual health⁶.

This oversight has profound implications. Menstruators who are socialized to accept discriminatory menstrual practices and internalize perceptions of being "weaker" or "inferior" struggle to advocate for their sexual and reproductive rights. This conditioning undermines their ability to refuse unsafe sex, negotiate safe sexual practices, make autonomous decisions about family planning and contraception, or access safe abortion services⁶.

F. Menstrual Movement fails to address menstrual discrimination.

Current menstrual policies, predominated by Global North perspectives, focus narrowly on technical solutions like tax exemptions, free product distribution, and WASH (Water, Sanitation, and Hygiene) initiatives⁶. These approaches, while important, not only fail to address the complex nature of menstrual discrimination but inadvertently reinforce discriminatory narratives that frame menstruation as a state of uncleanness and weakness.

G. Compounded Discrimination for Menstruators with Disabilities and LGBTQ+ Communities

⁷ Paudel, R., Shah, N. J., & Ahmed, T. Isn't Menstrual Discrimination a Driver for Child Marriage?

⁸ Wilson et al., "Seeking synergies: understanding the evidence that links menstrual health and sexual and reproductive health and rights," *Sexual and Reproductive Health Matters* 29, no. 1 (2021)

Menstruators with disabilities face unique challenges in maintaining bodily autonomy, access to menstrual education, and exercising the right to menstrual dignity. They are subjected to forced sterilization and non-consensual pharmaceutical menstrual suppression, particularly affecting those with intellectual disabilities⁴. UN CRPD (2006) and other related policies do not address menstrual discrimination as one of the key barriers to disability rights⁹.

Furthermore, the menstrual movement's primary focus on cisgender women and girls as default menstruators reflects a limiting gender binary perspective. This exclusion of transgender, queer, and non-binary individuals' experiences and challenges compromises their fundamental rights to dignity and health, leading to disparities in gynecological care and neglect in menstrual equity policies and programming^{10,4,6}.

H. GESI policies, including sports, are missing menstrual discrimination

Gender equality and social inclusion (GESI) policies, including sports policies, are globally neglecting menstrual needs and priorities of menstruators¹¹.

I. GR 37 Disaster Risk Reduction and Climate Crisis are missing menstruation.

The impact of menstrual discrimination is consistently neglected in disaster and pandemic responses, affecting menstruators throughout their life cycle. A stark example is within the COVID-19 pandemic, where despite menstruators comprising 70% of frontline workers, their specific needs were systematically neglected¹². This oversight compromised health outcomes and limited their participation in planning and recovery initiatives. The lack of inclusive planning and delivery mechanisms resulted in concerning practices, including compulsory mandated use of oral contraceptives for menstrual suppression and inappropriate durational use of menstrual products¹³.

⁹ United Nations General Assembly. (2019). Rights of persons with disabilities: Report of the Special Rapporteur on the rights of persons with disabilities (A/74/186).

¹⁰ Rydström, K. (2020). Degendering menstruation: Making trans menstruators matter. *The Palgrave Handbook of Critical Menstruation Studies*, 945-959.

¹¹ Bruinvels, G., Burden, R., Brown, N., Richards, T., & Pedlar, C. (2016). The prevalence and impact of heavy menstrual bleeding (menorrhagia) in elite and non-elite athletes. *PLoS ONE*, 11(2), e0149881.

¹² United Nations Children's Fund (UNICEF). (2020). *Mitigating the impacts of COVID-19 on menstrual health and hygiene: Brief*. Retrieved from <https://www.unicef.org/media/68371/file/Mitigating-the-impacts-of-COVID-19-on-menstrual-health-and-hygiene-Brief.pdf>

¹³ Paudel, R., Regmi, A., & Adhikari, M. (2020). Missing the menstruation amidst COVID-19. *Advances in Women's Health and Care*, 3(2), 309. Retrieved from <https://researchopenworld.com/wp-content/uploads/2020/05/AWHC-3-2-309.pdf>

With emerging conversations on climate change crisis intervention, there is a significant failure to recognize the impact of menstrual discrimination relating to the construction of power dynamics and its compounded challenge to mitigating systemic inequalities and challenging gender stereotypes⁴.

J. Menstrual Discrimination missing across SDG discourse.

Out of the 17 Sustainable Development Goals (SDG) 2015, menstrual discrimination serves as a systemic and foundational barrier to achieving at least 9 goals: Goal 1 (No Poverty), Goal 2 (Zero Hunger), Goal 3 (Health), Goal 4 (Quality Education), Goal 5 (Gender Equality), Goal 6 (Clean Water and Sanitation), Goal 8 (Decent Work), Goal 12 (Responsible Consumption), Goal 16 (Peace and Justice), compromising achievement of this 2030 agenda⁴. For instance, Goal 8 (Decent Work) is directly compromised when workplace environments fail to accommodate menstrual needs, limiting economic participation and advancement. Even the International Labor Organization 190C (2019) neglects menstrual discrimination as a GBV in the workplace¹⁴.

K. Menstrual Discrimination is a Human Rights Violence.

As exemplified above, menstrual discrimination is a total violation of human rights, transcending all social, geographical, and temporal boundaries. The impact of menstrual discrimination practices is multiplicative - a single discriminatory practice cascades into more than four violations of human rights. For instance, a common discriminatory practice of exclusion from harvesting agricultural products is a total violation of one's right to dignity, equality, freedom, mobility, health, participation in society, and more⁴. These violations compound and reinforce each other, creating systemic barriers that affect every aspect of menstruators' lives^{8,4}.

III. Recommendations

Based on the systemic impact of menstrual discrimination outlined above, we respectfully propose the following key elements for consideration in the Committee's General Recommendations:

- A. Redefine menstrual discrimination from “Traditional Harmful Practice”; it should not be merged with the practice of son preference, dowry, accusations of witchcraft, and female genital mutilation under the “Traditional Harmful Practices.” Instead, it should be understood as manifestations that directly and indirectly emerge from and are reinforced by underlying menstrual discriminatory practices and beliefs. It should be a primary, independent, and systemic theme within CEDAW framework, acknowledging its role as

¹⁴ International Labour Organization, *Violence and Harassment Convention, 2019 (No. 190)*, retrieved from https://normlex.ilo.org/dyn/normlex_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190.



a root cause rather than a parallel practice. Furthermore, the term “Chhaupadi” should be eliminated as it simply means “menstruation” in the local Acchami language in Nepal. Use the term "menstrual discrimination" when referring to any forms of menstrual discriminatory perceptions and practices, as this accurately captures the global systemic nature of these oppressive practices while avoiding compounding discrimination against Nepal.

- B. Recognize menstrual discrimination as an underlying root cause of gender stereotypes, systemic inequalities, and patriarchal power structures. This biological marker has been systematically weaponized to create hierarchies that permeate every aspect of social, economic, and political life. Attempts to achieve gender equality and dismantle patriarchal structures without directly confronting and addressing menstrual discrimination are fundamentally flawed, akin to pouring water on sand - the efforts dissipate without creating lasting change. Only by recognizing and addressing menstrual discrimination as the bedrock of gender-based oppression can we make the foundational changes necessary for achieving lasting gender equality and transforming patriarchal power structures.
- C. Incorporate the Dignified Menstruation framework comprehensively across all child rights policies and educational curricula, from primary education to graduate-level medical, nursing, and public health programs. This integration is crucial because the internalization of menstruation, menstrual discrimination, and its profound impacts begin during early childhood. Without explicitly recognizing and addressing menstrual discrimination through childhood interventions, it becomes impossible to unfold and challenge gender stereotypes that shape societal power structures.
- D. Affirm menstrual discrimination as a form of GBV and its role in causing other forms of GBV; incorporate Dignified Menstruation in all policies and programs to eliminate GBV.
- E. Endorse December 8th as International Dignified Menstruation Day as the 14th day of the #16DaysOfActivismAgainstGBV campaign, recognizing menstrual discrimination as a fundamental form of gender-based violence and human rights violation. This date, celebrated globally by GSCDM for the past six years, serves as a crucial marker to acknowledge the systemic role of menstrual discrimination in perpetuating gender-based violence worldwide¹.
- F. Integrate the Dignified Menstruation framework into child marriage prevention policies and programs to address how menstrual discriminatory practices undermine individuals' autonomy, informed consent, and ability to resist unsafe advances. This holistic approach recognizes that menstrual dignity is critical to increasing menstruators' autonomy and agency while establishing equal power relationships and dismantling gender stereotypes.
- G. Recognize menstrual discrimination as an underlying barrier to achieving SRHR and highlight the role of menstrual dignity in all SRHR policies and programs, including CSE. To claim SRHR, it is non-negotiable to address the role of menstrual discrimination on menstruators' ability to make safe sex decisions, including family planning, and embody their right to bodily autonomy and agency.



- H. Apply the menstrual dignity lens “menstrual talk, dignity first” across the discourse of tax removal, products, and WASH initiatives. Dignified Menstruation-friendly products (3 “P” - Person, Planet, and Pocket) and WASH initiatives enable menstruators to manage menstruation with menstrual dignity, ensuring all menstruation-related initiatives actively challenge rather than reinforce discriminatory perceptions^{1, 6}.
- I. Integrate the Dignified Menstruation framework into policies and programming related to disability rights. Allocate resources to address the compounded discrimination faced by menstruators with disabilities, as they require specialized technologies such as tactile materials like braille and other tools to practice dignified menstruation. Additionally, it is essential to ensure access to appropriate menstrual products, particularly for menstruators who depend on caregivers for daily support.
- J. Recategorize menstrual frameworks to operate with the terms "menstruators and non-menstruators" rather than traditional gender-based categories and integrate inclusive interventions to acknowledge and mitigate the diverse experiences and challenges of all who menstruate, including transgender men, non-binary individuals, and gender non-conforming people.
- K. Revise GESI policies to address discrimination associated with menstruation and menopause in all sectors, including sports.
- L. Incorporate the impact of menstrual discrimination into disaster, humanitarian policies, and pandemic preparedness programs to ensure menstruators' needs and priorities are addressed from the initial planning phase through implementation. Such integration helps prevent discrimination in access to logistics, medical care, and other essential services, whether the menstruators are survivors of disasters or serving as frontline workers during emergencies.
- M. Integrate menstrual discrimination as a critical component of climate justice discourse. This intersection highlights how environmental challenges disproportionately affect menstruators, requiring the recognition and dismantling of systemic inequalities and patriarchal structures that compound these impacts.
- N. Strategize incorporating dignified menstruation into at least nine SDGs to strengthen interventions targeting SDG 2030. Ensuring menstrual dignity is a fundamental precondition for realizing these global development objectives, as it intersects with poverty reduction, health, education, gender equality, and other key SDG targets.
- O. Firmly establish menstrual discrimination as a fundamental human rights violation and position menstrual dignity at the core of all interventions across sectors and governance levels. The multifaceted nature of menstrual discrimination has systematically undermined human rights programs, making it imperative to integrate dignified menstruation into every human rights discourse. This recognition is crucial as menstrual discrimination intersects with and compounds violations of fundamental human rights.

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