

Manifesto

September 28 Global Day of Action for Access to Safe and Legal Abortion

Our bodies, our future! Governments must provide the right to safe, legal and accessible abortion. This right must be recognised now AND enshrined within the new development agenda!

On September 28 Global Day of Action for Access to Safe and Legal Abortion sexual and reproductive rights activists call on the governments around the world to put an end to discrimination of women and girls and demand access to safe and legal abortion services and information as their human right.

While recognising the substantial progress made over the last 20 years of implementation of the ICPD Programme of Action, including recognition of sexual and reproductive rights as human rights; their inclusion as part of many national, regional and international policy frameworks and the development of public policies allowing better access to sexual and reproductive health in the world, such progress has not been universal and many countries are still failing to meet targets set out in the original ICPD Programme of Action(PoA).

We continue to see a high correlation between poverty, child and maternal mortality and countries that have failed to fully implement the PoA. There is a lack of real commitment to ensure the right of women and girls to decide upon all aspects of their reproductive health, including the right to choose whether to continue or end a pregnancy. All efforts to curb the high rates of maternal mortality (MDG 5) will remain fruitless without addressing unsafe abortion. Unsafe abortion is one of the leading causes of maternal mortality. An estimated 47,000 women die each year due to unsafe abortion, which accounts for an estimated 13% of maternal deaths worldwide. Five million women are hospitalised each year for treatment of abortion-related complications, such as hemorrhage and sepsis. Almost all abortion-related deaths occur in developing countries, with the highest number in Africa followed by Asia and Latin Americaⁱ. Within HIV endemic countries in sub-Saharan Africa, we need to ensure that HIV treatment programmes for example, Preventing Mother-to-Child transmission deliver on focal point two. This point includes the prevention of unintended pregnancies. Women should not be forced into programmes to deliver HIV negative babies, if they do not want to continue with their pregnancies.

Access to safe and legal abortion is a HUMAN RIGHT. When governments deny this basic woman's right they endorse and tolerate institutional violence against women.

- Since 1994, when 179 governments signed the International Conference on Population and Development Programme of Actionⁱⁱ, signaling their commitment to prevent unsafe abortion more than 25 countries worldwide have liberalized their abortion laws. However, seven countries in Latin American and the Caribbean - Chile, Nicaragua, El Salvador, Honduras, Haiti, Suriname and Dominican Republic – still prohibit access to abortion under all circumstances even to save a woman's life and nearly eighty other countries maintain severely restrictive laws on abortion.
- Most of the counties with severe abortion laws are in the Global Southⁱⁱⁱ. Even though access to safe and legal abortion was achieved in most of the industrialised countries in Europe and North America during the period of liberal reforms between 1950 and 1985, there is a number of worrying trends and challenges that are representative of the ongoing rise of religious, political, and economic extremisms resulting in imposition of restrictive measures preventing women from accessing accessible and affordable abortion services. Ireland and Poland are the starkest examples of countries which maintain the most restrictive laws in

Europe despite numerous pronouncements to revise the legislation by the international human rights bodies, while other countries in the regional such as Macedonia and Lithuania clearly demonstrate the tendency towards access restriction thus leading to the increased stigma and discrimination towards women who choose the procedure.

As a result of the lack of commitment by governments to create progressive legal frameworks to address unsafe abortion and as a result of restricting access to safe abortion because of the pressure by conservative lobbies, women and girls suffer grave **human rights violations**, for example:

- **Maternal mortality and morbidity:** Criminalisation of abortion forces women to carry unwanted pregnancies, even in cases when it is the result of rape, or threat to health and life, which equals to the act of torture, as noted by international human rights bodies^{iv}. In other cases illegality has pushed women to resort to unsafe services by putting their lives and personal integrity at risk.

- **Injustice:** Women and girls are being regularly stigmatized, criminalized and many have lost their freedom. Such are the cases documented in El Salvador, Brazil and Mexico, where women and adolescent girls have been reported by the service providers who attended to them for either complications of unsafe abortions, spontaneous abortions, premature birth complications, still birth or other obstetric emergencies. After facing a repressive and discriminatory justice system, which violated the presumption of innocence, in some cases, women found themselves given the highest penalties ranging from 20 to 40 years in prison.

- **Stigma and Discrimination:** Young, poor and unmarried women are disproportionately affected by criminalization of abortion. When they terminate pregnancy they do it in high risk situations, which make it an issue of social injustice deeply rooted in discrimination for economic, ethnic, racial, class, immigration status, among others. The stigma that surrounds abortion and women human rights defenders working for it—women, providers, pharmacists and advocates in our respective countries—contributes to abortion's social, medical and legal marginalization. Entire communities separate, stereotype and discriminate against women who need and seek abortions and women human rights defenders attempting to help women to access this service. As a result, networks, women organizations, feminists and advocates of abortion rights have been threaten, harassed, criminalized and assaulted all over the world, just because they have challenged a patriarchal system that suppress women's rights.

Women are being systematically denied their basic human rights.

Call to Action

We need to hold governments accountable to their existing commitments, and continue to take action to ensure that national policies effectively guarantee access to safe, legal, affordable, accessible, high quality, youth friendly abortion services, along with information about how to locate and access such services. **It is also vital that this existing commitment on access to safe and legal abortion be included in the outcomes and recommendations of the ICPD, MGD review processes that will inform the development of the Sustainable Development Goals (SDGs) and the Post2014-2015 development agenda.**

The new development agenda MUST firmly establish the right to access to safe and legal abortion

Governments around the world are currently involved in the process of evaluation of achievements under the present global development agenda expressed in eight visionary Millennium Development

Goals (MDGs). We cannot talk of sustainable development without the respect of human rights of women and girls in all their dimensions.

If one hopes to address the failures of the last 20 years and have a holistic, forward-looking, and relevant development agenda post-2015, we believe Sexual and Reproductive Health and Rights (SRHR) must be central to the goals and targets and go beyond a very narrow reflection of SRHR as “maternal healthcare” or “reproductive health” only. Drawing on the existing progressive international documents such as Maputo Plan of Action and the recent ICPD review outcome documents such as Bali Global Youth Forum Declaration, Geneva UNECE meeting Chair summary, and Montevideo Consensus on Population and Development, which covers sexual and reproductive rights, comprehensive sexuality education and asks governments to consider reviewing the laws that criminalize abortion, **SRHR should include abortion rights, pleasure, young people, access to contraceptives, sexual orientation and gender identity; particularly for the most vulnerable groups such as women, young people, sex workers, LGBTQI and others.** Human rights must be explicitly referenced, with the understanding that any meaningful efforts towards sustainable development must posit people as the drivers of development rather than passive receivers of aid priorities and programming.

THE TIME TO ACT IS NOW!

The undersigned organizations call upon States on the occasion of September 28 Global Day of Action for Access to Safe and Legal Abortion to ensure Sexual and Reproductive Rights and Health with an explicit reference to safe and legal abortion become an integral part of the new development framework by committing to:

1. Prioritize the issue of safe and legal abortion in compliance with prior international commitments such as CEDAW, ICESCR, ICPD PoA, Maputo Protocol and international human rights treaties.
2. Decriminalize abortion, remove all legal and implementation barriers to ensure access to safe, comprehensive, free and of high quality procedure for pregnancy termination, free of requirements for marital or parental consent.
3. Immediate release and putting an end to criminalization of young people and women, due to criminalization of abortion, especially in countries where the prohibition is absolute.
4. Provide accurate and scientifically sound information on Access to Safe and Legal Abortion to the entire population, without discrimination and take steps to limit the stigma and misinformation relating to abortion.
5. Remove socio-cultural barriers that reinforce gender stereotypes about motherhood and stigmatize women and girls, preventing them from free and informed decisions about their sexuality and their own bodies.
6. Ensure that HIV programming includes a SRHR lens and gives women choice in treatment options including whether to continue a pregnancy or not.
7. Ensure access to comprehensive sexuality education which is gender sensitive and life-skills based in a manner consistent with evolving capacity of adolescents and young people.
8. Ensure universal access to contraception, including emergency contraception, of high quality and variety, user friendly and appropriate to the needs of girls, adolescents and women, while ensuring their confidentiality.

9. End the harassment, criminalization and aggression aimed at networks, civil society organizations, feminists and advocates of sexual and reproductive rights. Ensure security and integrity for the women's rights defenders threatened by repressive mechanisms of the state or by civil groups which carry hatred and fundamentalism.

Signatories:

ⁱ Guttmacher Institute (2012), *Facts on Induced Abortion Worldwide*, available at http://www.guttmacher.org/pubs/fb_IAW.html

ⁱⁱ United Nations, *International Conference on Population and Development (ICPD)1994, Programme of Action*, see in particular chapter VIII, available at <http://www.un.org/popin/icpd/conference/offeng/poa.html>

ⁱⁱⁱ Center for Reproductive Rights, *Abortion Laws Map*, available at <http://worldabortionlaws.com>

^{iv} United Nations, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez* (February 1, 2013), available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A.HRC.22.53_English.pdf