

Ensuring a supportive legal framework for quality abortion care

Presentation Overview

- **Center for Reproductive Rights**
- **Abortion in the United States after *Dobbs***
- **World's Abortion Laws**
- **Comparative Law and Good Practices**
- **WHO Safe Abortion Guidelines**
- **Q&A**

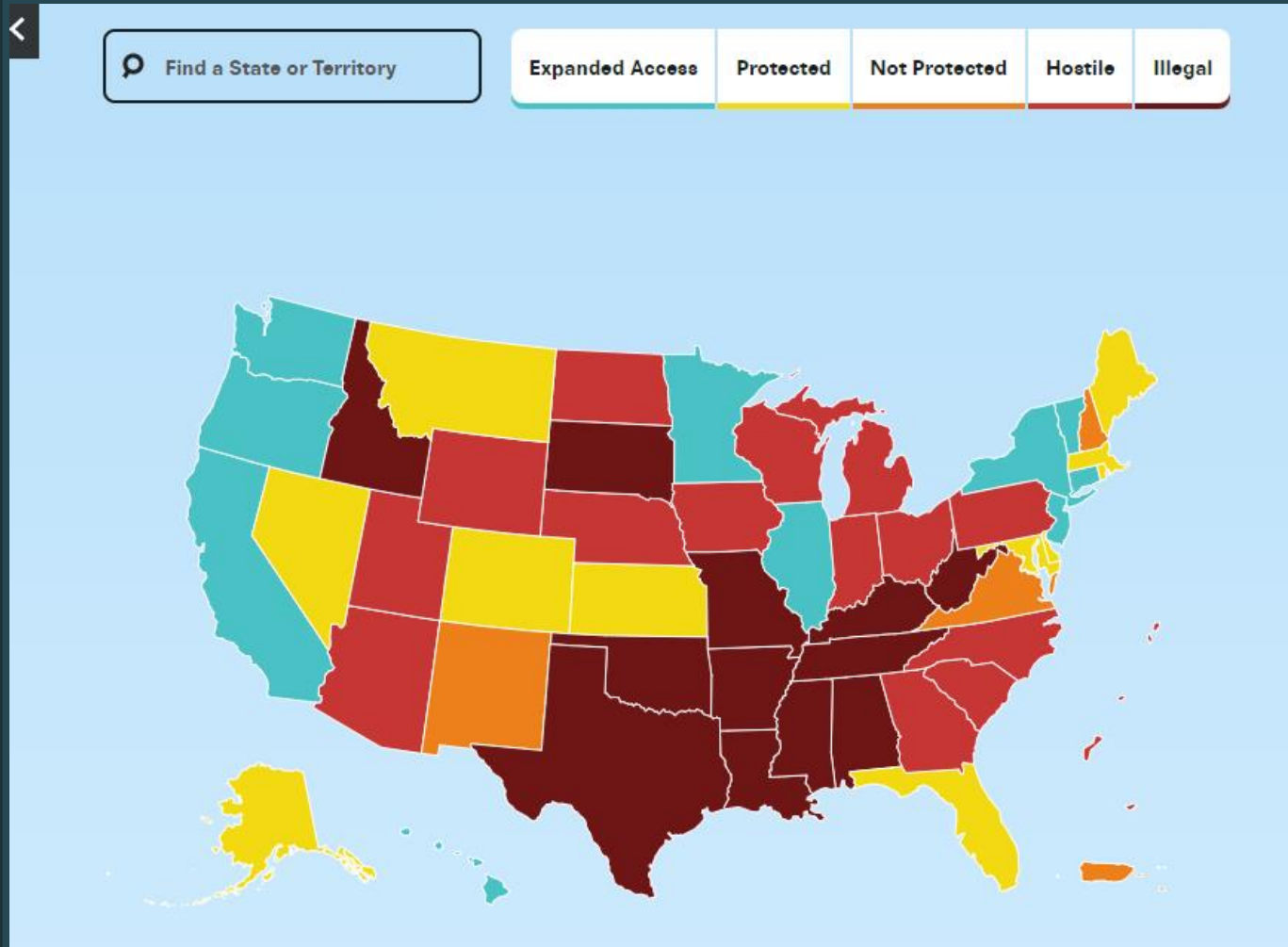
Dobbs v. Jackson Women's Health Organization

- **No constitutional right to abortion**
- **Legal uncertainty and confusion:** providers and patients struggling to understand the legal landscape
- **1 in 3 women have lost access:** more restrictions are coming
- **Other rights are at risk:** including the right to engage in intimate relations, decide who to marry, and how to raise one's family



After Roe Fell ...

Current status of access –
based on state law and court decisions on abortion



Abortion is now **illegal** in 12 states

Abortion is **treated with hostility** in 14 states

Abortion will **remain legal** (for now) in 14 states

Abortion access has been **expanded** in 10 states

Prohibited
Altogether



To Save the
Woman's Life



To Preserve
Health



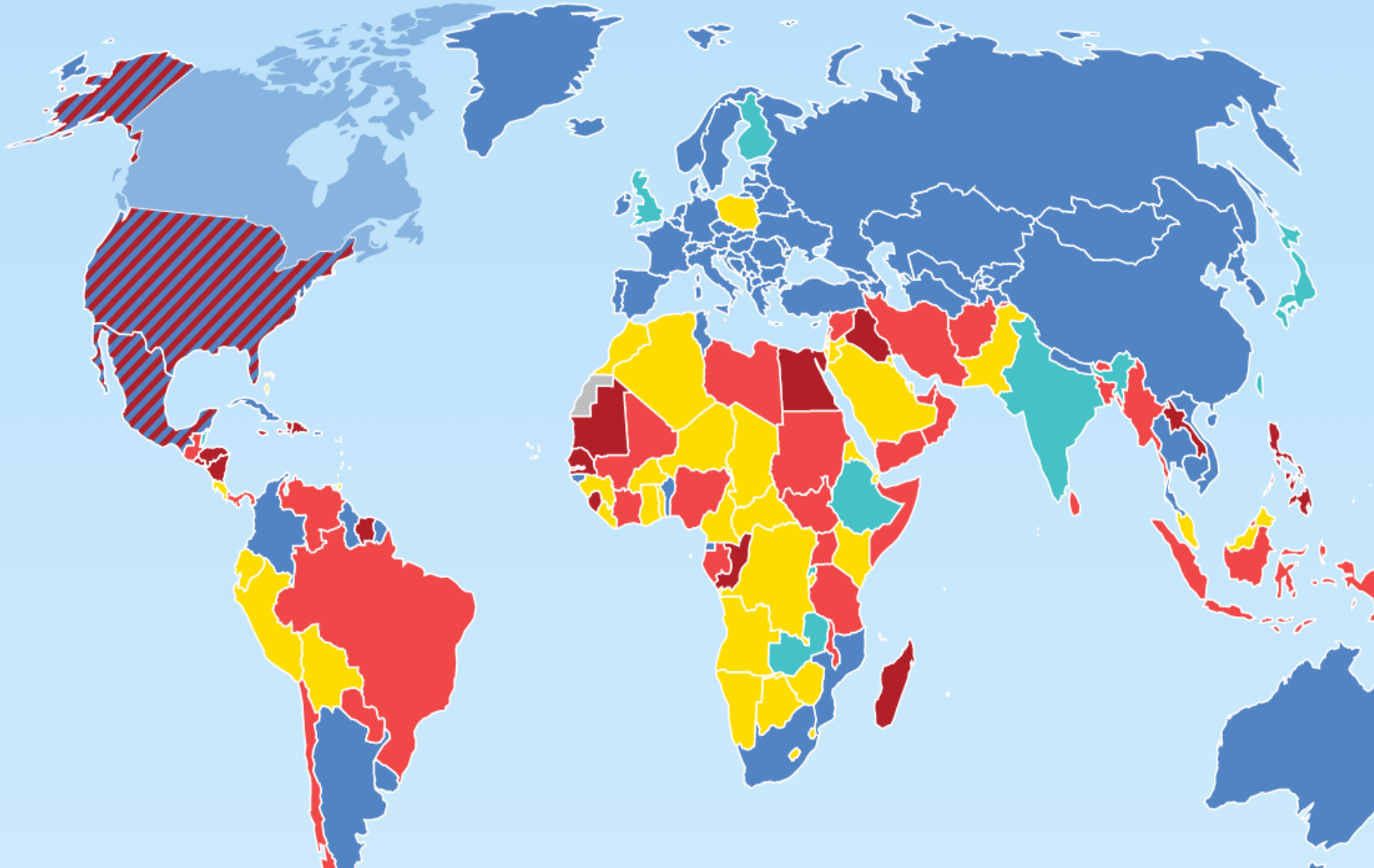
Broad Social or Economic
Grounds



On Request (Gestational
Limits Vary)



- > **Almost 60 countries have liberalized their abortion laws since 1994**
- > **88 countries allow abortion on request or broad grounds**
- > **113 countries maintain restrictive laws**
- > **Only 4 countries' laws have regressed**



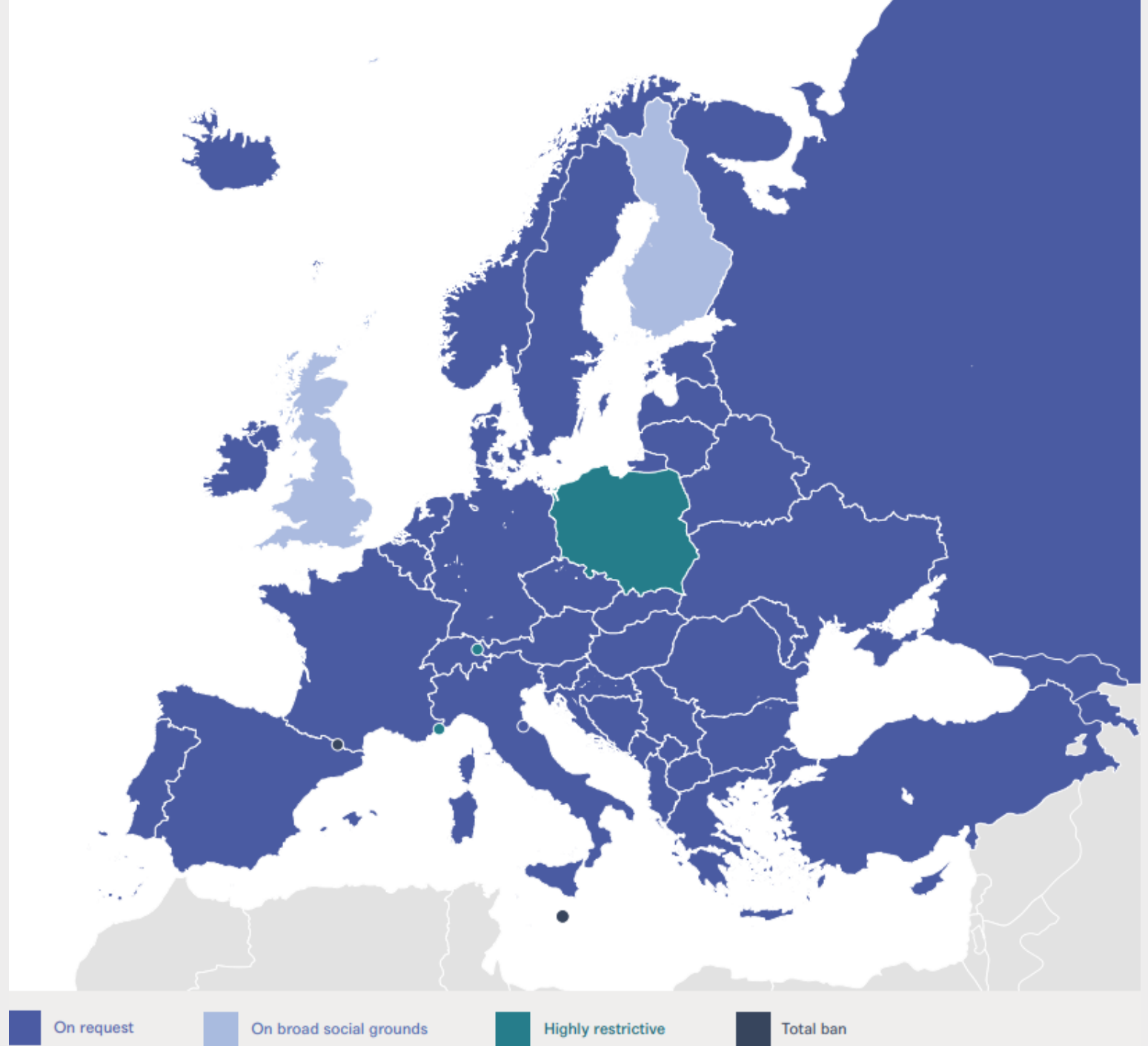
World's Abortion Laws

Despite some deeply worrying regression, the global trend is towards liberalization of abortion laws:

- Decriminalization of abortion
- Reform of highly restrictive laws
- Expansion of time limits
- Removal of access barriers (waiting periods, mandatory counseling, third party consent)
- This trends reflects human rights standards and public health recommendations

European Abortion Laws

CENTER *for*
REPRODUCTIVE
RIGHTS



Comparative Law & Good Practices

Abortion and time limits

- The majority of countries that allow abortion on request or broad grounds, have set the time limit around 12 weeks
- Increasingly countries are extending time limits:
 - 24 weeks: Australia*, Canada, Colombia, India, Netherlands, UK
 - 22 weeks: Iceland, South Korea
 - 20 weeks: New Zealand
 - 18 weeks: Sweden
 - 16 weeks: Austria
 - 14 weeks: France, Romania, Spain

Facts about time limits and abortion

- 90% of abortions take place in the first 12 weeks of pregnancy, with most done in the first 10 weeks
- Time limits can limit and delay access to abortion
- They may force some women to travel to other countries for abortion or seek unsafe care
- Women and girls belonging to marginalized groups are disproportionately impacted by time limits

Comparative Law & Good Practices

Third party consent

- In Europe, most countries do not require parental consent for girls 15-17 years old:
 - Portugal, Norway, Spain: 16 year olds can consent
 - Austria: 14 year olds can consent
 - Iceland: minors can consent
 - France, Luxembourg: emancipated minors can consent

Comparative Law & Good Practice

Decriminalization of abortion

- Some countries maintain criminal penalties for abortion outside the law
- Criminalization can increase barriers in access to care and abortion stigma
- Abortion should be decriminalized for patients, health professionals and anyone assisting

WHO Abortion Care Guideline

Updated in 2022 with new guidance and recommendations for clinical practice or public health policy

<https://bit.ly/3Jr7s48>



Decriminalization

Recommend the full decriminalization of abortion

Remove abortion from all criminal laws, not apply other criminal offences, and ensure there are no criminal penalties for having, assisting with, or providing abortion, for all relevant actors

Gestational limits

**Recommend against laws that prohibit
abortion based on gestational age limit**

Other key recommendations

Recommend that abortion be available on the request of the woman, girl or other pregnant person without the authorization of any other individual, body or institution

Recommend the option of self-management of medical abortion at < 12 weeks