

Legal and Political Framework for Abortion in Latin America

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Abortion Policies in Latin America

Incidence of Abortion

- Worldwide more than 46 million pregnancies each year end in induced abortion.
- About 26 million women undergo abortion in countries with liberal abortion laws.
- The remaining 20 million undergo abortion in countries where abortion is either restricted or illegal.

The Alan Guttmacher Institute, 1999.

Abortion Policies in Latin America

Incidence of Abortion

- In Latin America 52% of the 18 million pregnancies each year are unplanned.
- An estimated 4 million unsafe abortions are performed each year.
- Some 21% of maternal deaths (5.000 women each year) are attributed to unsafe abortion.

Center for Reproductive Rights, 2001

Abortion Policies in Latin America

Incidence of Abortion

- Abortion rates in Latin America are higher than in industrialized countries.
- One woman in every 20-30 aged 15-49 has one induced abortion.
- Average woman is likely to have had 1-2 abortions by the time she is 50.

The Alan Guttmacher Institute, 1996.

Abortion Policies in Latin America

- Abortion permitted without any restrictions:
 - Cuba
 - Guyana
 - Puerto Rico

Abortion Policies in Latin America

- Abortion not permitted under any circumstances:
 - Colombia
 - Chile
 - El Salvador

Abortion Policies in Latin America

- **Abortion permitted only to save the woman's life:**
 - **Brazil** – R/I
 - **Dominican Republic**
 - **Guatemala**
 - **Haiti**
 - **Honduras**
 - **Mexico** – R/I
 - **Nicaragua**
 - **Panama** – R/I
 - **Paraguay**
 - **Venezuela**

* (R/I) Also permitted in cases of rape and or incest

Abortion Policies in Latin America

- **Abortion permitted to save the woman's life and to preserve woman's physical and mental health:**
 - **Argentina – R/I**
 - **Bolivia – R/I**
 - **Costarica**
 - **Ecuador – R/I**
 - **Peru**
 - **Uruguay – R/I**

*** (R/I) Also permitted in cases of rape and/or incest**

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Punishment of abortion

- **Different penalties according to circumstances.**
- **Both the performer and the procurer are punished by the law.**
- **Attenuated penalties.**

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Religion and Legislations

- **Strong influence of the Roman Catholic Church.**
- **Abortion is never justified and it is often considered ground for excommunication.**
- **Church position, however, has never been official doctrine or dogma.**

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Religion and Legislations

- Lawmakers and the Catholic Church work together to paralyze any progressive policies in sexual and reproductive health.
- Whenever abortion is mentioned Catholic Church becomes the main objector.
- Lawmakers do not even mention abortion. It is too risky for them and their political parties.

Abortion Policies in Latin America

Impact on Reality

- Policymakers expect that abortion would be less if abortion policies are restrictive.

Reality:

- Restrictive abortion legislation does not lead to a low abortion rate.
- Abortion rate is high in countries in which abortion is illegal.
- Laws do not stop abortion.

Abortion Policies in Latin America

Impact on Reality

- Restrictive abortion legislation leads to more clandestine and unsafe abortions.
 - Unskilled providers
 - Unsanitary facilities
 - Hazardous techniques
 - Stigma and humiliation
 - Exploitation conditions
 - Abortion complications

Abortion Policies in Latin America

Impact on Reality

- Poor women most likely to be exposed to unsafe abortion.
- Profound inequity in society's treatment of women who have abortions.
- Young women more at risk of abortion complications.

Abortion Policies in Latin America

Professional Attitudes

- Professionals are often ignorant of the law and the basic abortion techniques.
- Some are committed but they will not take the legal risks.
- Conservative attitudes and double standards.
- Ethic concerns.

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Progress Made

- Finally some governments are considering abortion as a major public health concern.
- Advocates of women's rights and NGOs are working to overcome legal hurdles.
- Health professionals are willing to take risks on issues they believe in.
- Dependable and affordable services are now available in some places.

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Possibilities for Action

- Concerted advocacy to build a base for future changes
- Knowledge of laws and regulations
- Abortion research and documentation
- Public and lawmakers education
- Training health providers
- Provision of services