

# 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**

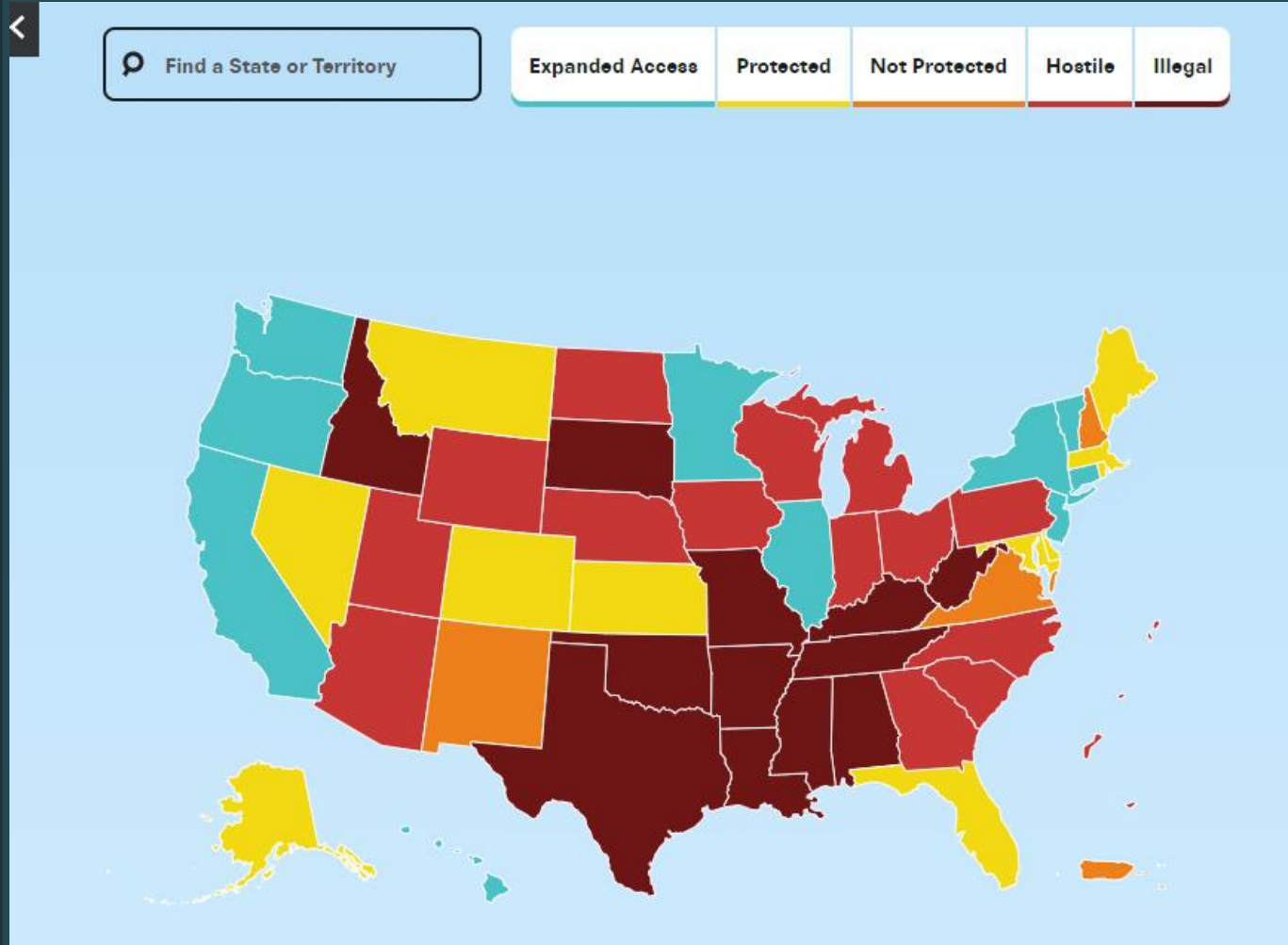
# Dobbs v. Jackson Women's Health Organization

- **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



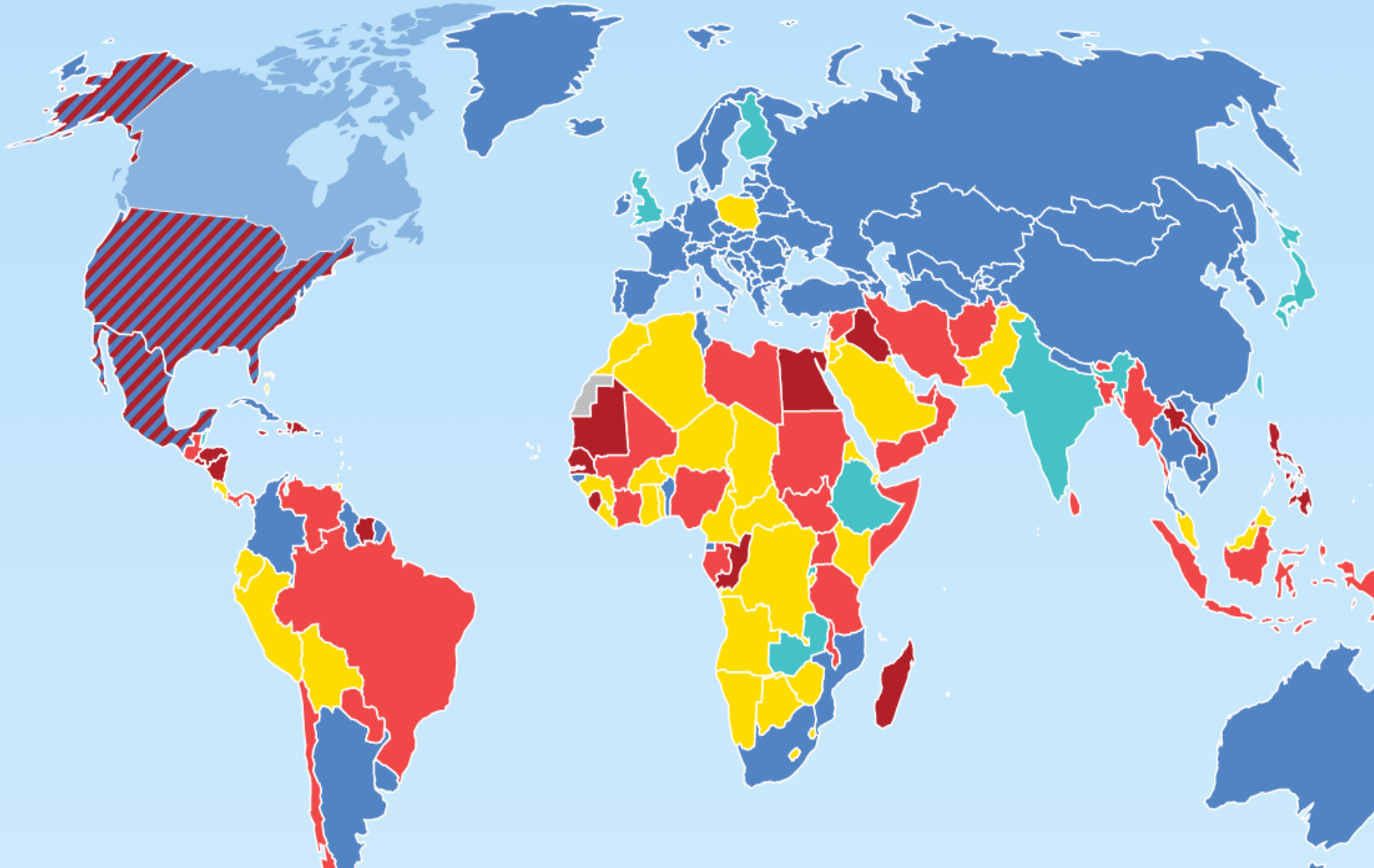
Broad Social or Economic  
Grounds



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

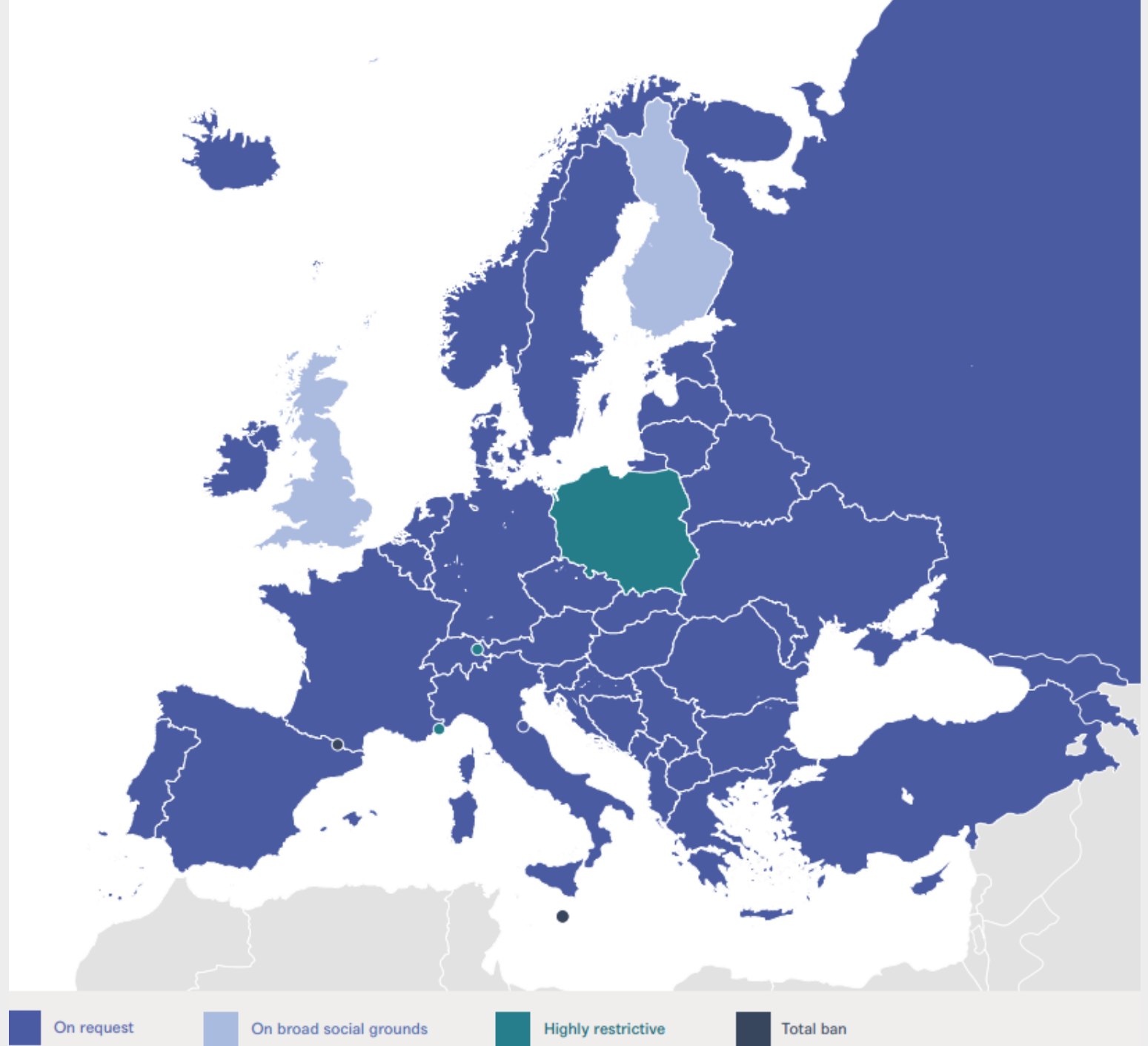
Despite some deeply worrying regression, the global trend is towards liberalization of abortion laws:

- 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**