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European Social Forum

Abortion rights: Still a fight in Europe

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Abortion is a sensitive issue, and is still prohibited in some parts of the European Union. Conservative groups are fighting hard for stricter abortion legislation. However, the groups defending women's right to choose are also strong. The EU itself prefers to steer clear of the issue.

[<https://internationalviewpoint.org/IMG/jpg/abortion.jpg>]

Reproductive rights are the rights relating to reproduction and reproductive health. The World Health Organisation defines these rights as follows:

“Reproductive rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. They also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence.”

It might sound like a basic human right. However, the right to freely choose a partner, the timing of the pregnancy and the number of children is far from certain for women the world over. This uncertainty exists not only among the poorest in the Third World, but also among us in Europe; the right to abortion is limited here as well. The option of abortion on demand gives a woman the important right to decide over her own life and her future. However, a woman's body – or, rather, her uterus – provokes moral-conservative groups and religious fanatics across nations and religious boundaries and anti-abortion lobbyists within the European Union are well-organised and work hard for their conviction.

Despite this, most countries in Europe provide free abortion, and most until the twelfth week. Sweden's abortion legislation is among the most liberal, allowing for abortion on demand until week 18 of the pregnancy and up to week 22 in specific cases.

In all countries abortions are performed whether legal or not, but many are illegal and unsafe. Women who have these kinds of operations risk illness, sterility and even death. In Poland alone, about 200 000 illegal abortions are estimated to be performed each year. Every year a number of women die as a result.

Abortion is prohibited in three of the EU's 27 member countries: Ireland, Malta and Poland. In theory, it is possible to be granted an abortion under specific circumstances, for example, if the pregnancy is likely to cause the woman's death. But this has proven very difficult in reality.

In a recent and notorious case concerning a fourteen-year-old Polish girl who fell pregnant from rape, it became clear how strong the resistance to abortion rights is. Even according to the strict Polish abortion legislation, rape is considered a legitimate reason for the operation. However, the Catholic Church actively mobilised resistance against the girl's right to choose and attempted to stop the abortion. In the end, the law prevailed and the girl aborted the foetus.

Women in these countries who need to have an abortion and who have the financial means always have the option of seeking help abroad. Others are subjected to the illegal alternative. This not only puts their lives and health at risk but can also impose criminal penalties. For example, in Malta a woman risks three years imprisonment after an illegal abortion. Due to the risk of prison sentences or other legal punishments, no one wants to be held responsible if an

operation fails.

One of the few bright spots regarding this issue is Portugal. For a long time, abortion was criminalised here, but a positive development has recently taken place. In 2007, a majority, nearly sixty per cent, decided through a referendum to decriminalise abortion – to the great dismay of the Catholic Church.

A country where the development unfortunately goes in the opposite direction is Lithuania. At present, a parliamentary process is taking place which may lead to the prohibition of the right to abortion. If this proposed law is passed, abortion will only be granted if the woman's life or health is threatened by the pregnancy, or in the case of rape or incest. Currently, no decision has been made.

Even countries where abortion is legal can apply their principles with great rigidity. One case which upset many of the general public concerned an eleven-year-old girl in Romania who was refused an abortion despite having been raped. The reason was that the pregnancy was two weeks over the legal limit. According to a medical-ethic committee there were insufficient reasons for overruling the legal limit – according to the law, all abortions after week twelve of the pregnancy are illegal, unless the foetus is badly deformed or the mother's life is endangered. This, however, was not the case of the eleven-year-old. But thanks to the great international attention that the case attracted, the abortion was finally approved by a government commission.

The groups that are for and against the right to abortion can be classified as two ideologically opposed categories: pro-choice or pro-life. The pro-lifers are thus called as they consider an embryo as a human life proper. Its rights should be the same as those of any other human being, regardless the circumstances. It does not matter if the woman does not want to or cannot give birth. In extreme cases it is even secondary if rape or incest was the reason behind the conception, or if a woman risks her life due to the pregnancy or the birth. The continued life of the foetus is then more important than the woman's.

The pro-choicers, on the other hand, demand the right of the woman to be allowed to make her own decision, based on what is best in her circumstances. They consider the context, such as the woman's specific ability to care for a child.

One of the most well-known pro-choice organisations in the EU is the Dutch Women on Waves. This is a non-profit organisation founded in 1999, concerned with women's human rights. Its mission is to prevent unwanted pregnancy and unsafe abortions throughout the world. Women on Waves has developed a mobile clinic that can easily be loaded onto a ship, which enables it to travel to wherever it is needed worldwide. With this ship, Women on Waves can provide safe and legal abortion services outside territorial waters in countries where abortion is illegal. Women on Waves challenges the restrictive abortion policies of some countries within the EU, and has succeeded in creating debates in the European Parliament.

In Ireland, there is Alliance for Choice, a pro-choice organisation working actively to change the abortion laws. Since 1983 over 100 000 Irish women have travelled to England for an abortion. It is estimated that around seventeen women travel from Ireland to England everyday for this purpose. Amongst other things, Alliance for Choice helps to uphold the anonymity of the women who have the possibility to travel, and they provide child care during the trips.

The feminist network European Feminist Initiative, EFI, has member organisations in 35 countries and has as its objective to work for women's rights. In April, EFI started a petition for the right to abortion for all women in the European Union. The aim is to collect one million signatures, which is the necessary amount for the EU Commission to bring up the issue. The signatures shall be submitted during the 2009 EU election in order to pressure the EU-politicians to place the issue of the right to abortion on the agenda.

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The EFI was formed during the European Social Forum in Rome 2003 and will be present at the ESF in Malmö.

It may seem that the abortion issue fundamentally is an issue about liberation and that the European Union, which purports to work for human rights, should promote the right to abortion. Moreover, the EU also has the right to make decisions in matters concerning sexual and reproductive rights. However, the EU lacks a common set of rules guiding sexual and reproductive rights.

Officially, the attitude is that abortion rights is an area out of bounds for the EU. Abortion is considered a health issue to be regulated by the individual member countries. Hence, the EU is often silent before the specific regulations of the member countries. No pressure is placed on those countries still upholding a ban on abortion.

But why is the EU reticent in terms of women's reproductive rights? The mood is clearly hostile to women.

The Vatican has opened an office in Brussels and works hard together with other conservative forces for the implementation of more restrictive abortion laws and for the preference of Catholic Law above EU laws.

Even Sweden, with our liberal abortion legislation, seems eager to keep the issue at a national level, perhaps out of fear that a set of common EU legislation might dilute our own legal framework. The downside of this is the risk that the pro-lifers will dominate the debate.

In 2002 the EU Parliament adopted a resolution, the so-called Anne van Lancker-report, which was an attempt to persuade the EU countries to increase access to safe and legal abortions, and to end penalties for women having had illegal abortions. The Council of Europe has recently declared that abortion should be legal and accessible for all women in Europe. However, with the exception of Portugal, not much progress has been made. This, despite the fact that the EU has a mandate to promote gender equality and health, and to work against discrimination. It still remains to be seen if Sweden will push the issue during its coming chairmanship in the Council of the European Union.

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