

# URGENT ACTION

## VOTE ON THE RIGHT TO ABORTION PENDING

**The Dominican Republic Senate was due to vote on 25 July on a reform to the Criminal Code which maintains the criminalization of abortion except where the pregnancy poses a risk to the life of a pregnant woman or girl. Senators decided to send the text to the Human Rights Commission for further consideration.**

On 19 July the House of Deputies (Cámara de Diputados), the lower chamber of the Dominican Congress, approved a new version of the Criminal Code that represents a step back for the rights of Dominican women and girls. This reform is a regression from the previous version of the Criminal Code adopted in 2014, as it now only allows abortion in one case: where the pregnancy poses a risk to the life of a pregnant woman or girl.

The Senate, the upper chamber of the Congress, was due to discuss and vote on the reform on 25 July, before the end of the current Parliamentary session. However, Senators voted to send the text to the Senate's Justice and Human Rights Commission (Comisión de Justicia y Derechos Humanos) for further consideration. The discussion of the bill will restart with a new congress in place on 16 August.

The newly elected Congresspersons must urgently reintroduce the three circumstances for decriminalization of abortion that were approved in 2014: where i) the pregnancy poses a risk to the life of a pregnant woman or girl; ii) where the foetus would be unable to survive outside the womb; iii) and where the pregnancy is the result of rape or incest. Any other action would constitute a regression in the rights of women and girls.

### Please write immediately in Spanish or your own language:

- Calling on the Senate to reintroduce the text adopted in 2014 that allows abortion in cases where pregnancy poses a risk to the life or to the physical or mental health of a pregnant woman or girl, in cases where the foetus will be unable to survive outside the womb, and in cases where the pregnancy is a result of rape or incest;
- Urging the President to ensure access to abortion both in law and in practice, at a minimum, in the three circumstances, as accepted in 2014;
- Expressing your profound concern for the vote adopted on 19 July which represents a regression in human rights by the Dominican Republic, and puts women and girls at risk of having their rights to life, health and freedom from discrimination, torture and ill-treatment, violated.

### PLEASE SEND APPEALS BEFORE 10 OCTOBER 2016 TO:

#### President of the Republic

Daniilo Medina  
Palacio Nacional  
Av. México esq. Doctor Delgado Gazcue  
Santo Domingo, Dominican Republic  
Fax: +1809 682 0827  
Email: prensa2@presidencia.gob.do  
Twitter: @PresidenciaRD  
**Salutation: Señor Presidente / Dear President**

#### President of the Senate

Reinaldo Pared Pérez  
Av. Enrique Jiménez Moya, esq. Juan de  
Dios Ventura Simó, Centro de los  
Héroes  
Santo Domingo, Dominican Republic  
Email: r.pared@senado.gob.do  
Twitter: @senadorepdom  
**Salutation: Señor Presidente del Senado/ Dear President of the Senate**

#### President of the Justice and Human Rights Commission

Aristides Victoria Yeb  
Email: a.victoria@senado.gob.do  
**Salutation: Señor Presidente de la Comisión/ Dear President of the Commission**

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 151/16. Further information: [www.amnesty.org/en/documents/amr27/4492/2016/en/](http://www.amnesty.org/en/documents/amr27/4492/2016/en/)

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### ADDITIONAL INFORMATION

In December 2014, Dominican President Danilo Medina approved changes to the Criminal Code to lift the total ban on abortion and pave the way for decriminalization in three circumstances: where the pregnancy poses a risk to the life of a pregnant woman or girl, where the foetus would be unable to survive outside the womb, and where the pregnancy is the result of rape or incest. The decision was celebrated by human rights organizations and local women's groups. The reforms were due to take effect, a year later, in December 2015, and were to be regulated in separate legislation.

The public position against a total ban on abortion taken by President Medina and Congress in 2014 was a big step forward for the rights of women and girls in the Dominican Republic. However, a year later, the Constitutional Court struck down the proposed reforms after three religious and conservative pressure groups appealed the decision and alleged procedural errors.

The decision overturned the penal reforms approved by Congress, and left the old Criminal Code, which dates back to 1884, in force. The law allows for criminal sanctions of two to three years' imprisonment against all women who have an abortion and against all those who cooperate with the interruption of their pregnancy. Medical and pharmaceutical personnel who facilitate or assist in abortions are also punished with a prison sentence between four and 10 years. If a woman dies as a consequence of abortion, the criminal sanction against those facilitating or assisting is between 10 and 20 years.

Further information on UA: 151/16 Index: AMR 27/4554/2016 Issue Date: 26 July 2016