

URGENT ACTION

IMMINENT CRITICAL CONGRESS VOTE ON ABORTION

The Dominican Republic Congress is set to vote on July on a partial reform of the Penal Code related to abortion. Lawmakers must not allow a regression in women's rights.

After recent presidential elections the Lower Chamber of the Dominican Parliament is once again considering reforms to the Criminal Code to decriminalize abortion 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 Lower Chamber is expected to vote between the 5 and 25 July. Previous efforts to enforce a similar proposal in 2014 were challenged later on in 2015 by conservative groups. A decision by the Constitutional Court declared the process unconstitutional and required Congress to follow the appropriate parliamentary procedure to enact revisions to the Criminal Code. This time, the Congress, Senate and President must all approve the reforms.

In the Dominican Republic, women and girls continue to die for preventable reasons due to the current total ban on abortion. This was the case for Rosaura Almonte, known by the media as "*Esperancita*", who died in 2012 for not receiving life-saving chemotherapy for leukemia because she was seven weeks pregnant at the time and the treatment she needed would have affected the foetus she was carrying. Doctors delayed treating her because abortion, and those that facilitate abortion, can be criminally punished.

President Danilo Medina and legislators should maintain their previous stance on this issue and decriminalize abortion in the three circumstances accepted in 2014 as currently presented in the text for discussion. Any other action would constitute a regression in the rights of women and girls in the Dominican Republic.

Please write immediately in Spanish or your own language:

- Calling on the President and Congress to ensure access to abortion both in law and in practice, at a minimum, 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 the result of rape or incest, as accepted in 2014;
- Expressing your profound concern that a vote for a total criminalization of abortion would represent a regression in human rights by the Dominican Republic, and put 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 25 JULY 2016 TO:

President of the Republic

Danilo Medina
Palacio Nacional
Avenida México esquina Doctor Delgado
Gazcue, Santo Domingo
Dominican Republic
Fax: +1809 682 0827
Email: prensa2@presidencia.gob.do
Twitter: @PresidenciaRD

Salutation: Señor Presidente / Dear President

Presidente de la Cámara de Diputados

Abel Martínez Durán
Av. Jiménez Moya
Centro de los Héroes de Constanza
Maimón y Estero Hondo
Edificio Congreso Nacional
Distrito Nacional
Email:
diputadosrd@camaradediputados.gob.do

Salutation: Señor Presidente / Dear President

And copies to:

Colectiva Mujer y Salud
Email: colec.mujer@claro.net.do

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.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

IMMINENT CRITICAL CONGRESS VOTE ON ABORTION

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.