

# URGENT ACTION

## CRITICAL CHANCE TO DECRIMINALIZE ABORTION

From 24 March members of the Chamber of Deputies of the Dominican Republic's Congress will begin to discuss a reform of the country's criminal code, including the possibility of decriminalizing abortion in three circumstances. Hundreds of human rights activists are currently camped outside the National Palace demanding that their Congresspeople take advantage of this historic opportunity and vote in favour of decriminalizing abortion in these circumstances. We demand the Congress approves these reforms to meet their human rights obligations to respect, protect and fulfil women and girls' rights, lives, health, dignity, and autonomy.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

**Mr. Alfredo Pacheco,**  
**President of the Chamber of Deputies**  
Av Enrique Jiménez Moya, esq. Santo Domingo  
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Dear Alfredo Pacheco,

*The decriminalization of abortion in the Dominican Republic cannot be postponed. Dominican Republic's current legislation that outlaws abortion under all circumstances causes a serious and urgent public health problem, leading to avoidable deaths of women and pregnant people, generally from the most vulnerable sectors of the population.*

*Over the last 25 years, more than 50 countries have changed their laws to allow for greater access to abortion, recognizing the vital role that access to safe abortion plays in protecting lives and health. Sadly, the Dominican Republic continues to be amongst the last countries in the world to maintain a complete ban on abortion. The current debate over the reform of the country's criminal code represents an historic opportunity to change this situation and stand on the right side of history.*

*Right now, human rights activists across the Dominican Republic are demanding that the reform of the country's criminal code includes the decriminalization of abortion in three limited circumstances: when the pregnancy poses a risk to the life of a pregnant woman or girl, when the fetus could not survive outside the womb, and when the pregnancy is the result of rape or incest.*

*Their demands are widely supported by human rights standards, as well as by public health experts. The World Health Organization, along with prominent medical associations, support the decriminalisation of abortion, asserting that criminalisation does not have the intended effect of reducing the numbers of abortions and only leads to women seeking unsafe clandestine abortion that put their lives and health at risk.*

*Additionally, the UN Committee Against Torture and several international committees on human rights have found that denying women access to abortion services can, in certain circumstances, cause suffering that is so severe it could amount to torture.*

***Therefore, I call on to you to meet the Dominican Republic's obligations under international human rights law to respect, protect, and fulfil the rights of women, girls and life, health, autonomy and dignity by approving a new criminal code that decriminalizes abortion in the three circumstances outlined above.***

*Yours sincerely,*

## ADDITIONAL INFORMATION

A comprehensive reform of the Criminal Code in the Dominican Republic has been ongoing for several years. Under the Criminal Code currently in force, women seeking abortion services and those who provide those services face criminal sanctions regardless of the circumstances in which the abortion was sought or provided. In 2010 a new Constitution entered into force stating the inviolability of the right to life “from conception to death” in its article 37.

A revised Criminal Code was approved by the Chamber of Deputies in 2014 that integrated the decriminalization of abortion in the three circumstances: where the pregnancy poses a risk to the life of a pregnant woman or girl, where the fetus could not survive outside the womb, and where the pregnancy is the result of rape or incest. However, in December 2015 the Constitutional Court struck down the proposed reforms through Judgement 599-15 leaving the old Criminal Code in force, which dates back to 1884. In July 2017, Congress rejected a new proposed reform of the Criminal Code that failed to decriminalize abortion in the three limited circumstances. Current president Luis Abinader expressed support for the decriminalization of abortion in the 3 circumstances described and a growing number of Congresspeople are expressing their support as well.

Evidence shows that total bans on abortion do not reduce the number of abortions but instead increase the risk of women dying due to illegal, unsafe abortions. The World Health Organization has warned that restrictive abortion laws put women and girls living in poverty, and those living in rural and more isolated areas at particular risk of unsafe abortions. Criminalization of abortion in all circumstances deters women from seeking medical care and creates a ‘chilling effect’ on doctors who are fearful of providing life-saving treatment to women whose life or health are at risk by pregnancy, or who suffer complications from an unsafe abortion.

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 after 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.

### **PREFERRED LANGUAGE TO ADDRESS TARGET: SPANISH**

You can also write in your own language.

### **PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 24 May 2021**

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

### **NAME AND PREFERRED PRONOUN: Dominican women at risk (Them, theirs)**

### **LINK TO PREVIOUS UA: n/a**