

URGENT ACTION

PROPOSED REFORM PUTS WOMEN AND GIRLS AT RISK

On 18 November the Dominican Parliament adopted a comprehensive reform of the Criminal Code which maintains full criminalization of abortion. It is now with the President of the Republic to enact into law. If enacted, it would violate the rights of women and girls.

In June 2013 the Lower Chamber of the Dominican Parliament adopted a draft reform of the Criminal Code which introduced an exception to the country's full ban on abortion in cases where "a state of necessity" could be invoked. This allowed for the possibility to decriminalize abortion when the life of the woman was endangered by pregnancy. However, in July 2014 following pressure from the Catholic Church, the Senate removed this provision. On 18 November the Lower Chamber adopted the version approved by the Senate in July.

The adopted version maintains 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 increased to between 20 and 30 years.

The criminalization of abortion in all circumstances, as maintained in the new legislation, violates women's rights to life, health and freedom from discrimination and torture or ill-treatment, in contravention of the Dominican Republic's international human rights obligations.

Please write immediately in Spanish or your own language:

- Urging the President of the Republic not to enact the adopted reform of the Criminal Code;
- Expressing your profound concern that women and girls in the Dominican Republic are at risk of having their rights to life, health and freedom from discrimination, torture and ill-treatment violated under this law;
- Calling on the President 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.

PLEASE SEND APPEALS BEFORE 31 DECEMBER 2014 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

And copies to:

Colectiva Mujer y Salud

ciudadaniaactivadelasmujeres@gmail.com

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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**



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ADDITIONAL INFORMATION

A comprehensive reform of the Criminal Code 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.

The criminalization of abortion has a serious impact on the rights of women, including their rights to life, health, freedom from torture and other ill-treatment and non-discrimination. For example, in August 2012, Rosaura, a 16-year-old girl with leukemia, died of complications caused by a miscarriage. She had been prevented from having a therapeutic abortion – as recommended by various health professionals – because it was against the law. Her chemotherapy treatment had also been delayed as doctors were concerned it would harm the foetus.

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 Universal Periodic Review which concluded in June 2014, the Dominican Republic adopted recommendations aimed at ensuring effective implementation of the National Strategic Plan to reduce maternal mortality but rejected those calling on decriminalizing abortion in cases of incest and rape and ensuring full recognition of sexual and reproductive rights.