



Abortion in Europe: fully acquired right or tireless fight?

European Network of Migrant Women statement for International Safe Abortion Day, 2020

Abortion in Europe: Fully Acquired Right or Tireless Fight ?

ENoMW's Statement for the International Safe Abortion Day

Brussels, 28 September 2020

*“Never forget that a crisis will suffice for women’s rights to be threatened.
These rights are never granted. You need to remain careful for your entire life”*

With the COVID-19 crisis, this quote from French feminist Simone de Beauvoir proved itself to be once again a tough reminder of an ugly truth. In the face of this unprecedented health emergency, European countries have adopted extraordinary measures such as extensive lockdowns, restricting freedoms and human rights in the process. First victims? Women, everywhere, enduring violence; **from being trapped with abusers** (many European countries have seen a rise of about 30% in emergency calls reporting male violence in the home) **to not being able to enjoy their rights, such as the one to access safe and legal abortion.**

In Italy, Government inaction has left women and girls facing avoidable obstacles to accessing this right, putting their health and lives at risk according to Human Rights Watch. This failure to ensure women’s sexual and reproductive health care is not surprising; **it only highlights many European country’s outdated restrictions and the harm they cause to women and girls.**

The Committee on Equal Opportunities for Women and Men from the Council of Europe considers that **“a ban on abortions does not result in fewer abortions, but mainly leads to clandestine abortions, which are more traumatic and more dangerous”**. In spite of this obvious truth, some European countries still today do not allow abortion, even when the women’s life is endangered in cases like Malta.

Even in countries where this right is recognised, accessing it always seems to be a challenge. In the States where abortion is legal, conditions are not always such as to guarantee women effective access; the lack of local health care facilities, the lack of doctors willing to carry out abortions, the repeated medical consultations required, the time imposed for changing one’s mind and the waiting time for the abortion appointment all have the potential to make access to abortion more difficult, **or even impossible in practice.**

These restrictions always disproportionately affect women who are already more vulnerable: women in urban or rural areas who may not have access to information or adequate facilities, homeless women who do not have the means to seek health care and, of course, **migrant women and girls.**

Language barriers, discriminations, lack of access to clinics, precarity, denial of health services to vulnerable groups, lack of dignity as a barrier to care, vulnerability of adolescents, sex-based violence, sexual trafficking: violations of sexual and reproductive rights are omnipresent in the lives realities of displaced women and girls. **Given conditions in refugee settings, including high levels of sexual violence, unwanted pregnancies and unsafe abortions are a massive problem.** Yet, services for displaced women and girls who wish to terminate an unwanted pregnancy are almost non-existent. The extent of need for abortion services amongst refugee women remains undocumented. **UNFPA estimates that 25-50% of maternal deaths in refugee settings are due to complications of unsafe abortion.**

Worldwide, over half of refugees are under the age of 18. Female adolescents represent a particularly vulnerable group within the refugee population. A lack of awareness about sexual health and rights, along with minimal access to contraception, result in pregnant minors seeking unsafe abortions and and risking their lives.

What justifies this inadmissible lack of access of women and girls to their rights to health and bodily autonomy? The Law, practice and, above all, mentalities. **“Personal moral grounds” that allow doctors refuse to carry out an abortion are still recognised in 22 of the 28 countries of the European Union member states** (according to WHO’s 2018 Global Abortion Policies Database).

In some of them such as **Poland, medical practitioners refuse to perform abortion in the name of their religion** - the Catholic Church, amongst others, considers abortion a “moral evil”. In this country, that already has some of the strictest legislation in Europe, **the attempts by Parliament and Government to tighten laws even further are countless.** Even though they were abandoned after mass protests in 2016, President Andrzej Duda said he would sign the law if it reached his desk. **In the current context, it is of grave concern that conservative politicians are using the “distraction” of the coronavirus pandemic to push through this outrageous legislation.**

In **Malta**, a stronghold of the Catholic Church, border closures have trapped women seeking safe terminations further illuminating an existing problem, where legal abortion is only available to those who can afford a flight out of the country. **Malta is the only European State that outright bans abortion, even in cases of rape, incest, or in cases where the woman’s health is at risk.** It has some of the strictest abortion laws in the world; a woman who terminates her pregnancy and the doctor who facilitates that procedure can each face up to three years in prison. Even the morning-after pill - only legalised in 2016 - is difficult to access as pharmacists can refuse its sale, again on the basis of "moral stance".

Across **Italy**, 68.4% of gynecologists identify as “conscientious objectors,” according to 2017 Italian Ministry of Health data. In some parts of the country, **accessing an abortion is virtually impossible, with gynecologists in the southern regions of Molise and Basilicata objecting at rates of 96.4% and 88.1% respectively.**

In the light of the unbearable and consistent attacks we face, **it is impossible to deny that the right to abortion, threatened everywhere, is eminently in need of consolidation.** Its constant erosion remains at the center of the war against women waged by reactionary forces in Europe and around the world. But religious and alt-right groups are not the only ones in a war against our rights. In recent years, the pro-choice movement has been also attacked by the neo-liberal, neo-patriarchal and so-called progressive groups who advocate for normalisation of prostitution and surrogacy. These groups instrumentalise the fight of women for abortion and confuse “choice” with violence. They claim that women’s right to choose to terminate pregnancy is equivalent to our ‘right to choose’ to be trafficked and raped in the context of prostitution, and our ‘right to choose’ to “rent” our uteruses at the risk of our own lives. They lack analysis and understanding of the global context of oppression and sex-based violence that we endure. They ignore the precarity, the traumas and the threats that always determine these so-called “choices”. **As migrant women, we fight against these dangerous lies and we strive for actual bodily autonomy; one where no one can buy, rent or own us. One where we are in control.**

Every year, 47,000 women around the world die as a consequence of clandestine abortions. Recently in Brazil, a crowd of religious protesters attempted to storm a hospital to stop a ten-year-old girl from undergoing an abortion after she was raped by her uncle. This indescribable violence and the hypocritical political games around it continue to demonstrate the global contempt for the lives of women and girls, worldwide.

Today, nothing guarantees and protects our paramount right to abortion if not the tireless fight of feminist activists everywhere.

We demand that member States legalise abortion without condition, to guarantee safe and free access to it for all women and girls and to harmonize the legal deadlines for abortion with those of the most progressive countries in Europe.

Above all, we demand recognition of legal, safe and free abortion for all as a fundamental right which must be enshrined as such at the European level.

We will not stop the fight as long as the right to abortion is not guaranteed to ALL women and girls, without any discrimination.

European Network of Migrant Women (ENoMW) is a feminist secular migrant women led platform, not affiliated with any political party, advocating for the rights, freedoms and dignity of migrant, refugee and ethnic minority women and girls and Europe.

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