

URGENT ACTION

ATTEMPTS TO WEAKEN DRAFT ABORTION LAW

A proposed law aimed at decriminalizing abortion under specific circumstances in Chile is facing possible amendments that would further restrict access to legal abortion and related sexual and reproductive health services for women and girls, putting their lives and well-being at risk.

The draft “Law Regulating the Decriminalization of the Voluntary Interruption of Pregnancy in Three Causes”, a bill which calls for the decriminalization and access to abortion when the pregnancy poses a risk to the life of a pregnant woman or girl, when the foetus would be unable to survive outside the womb or when the pregnancy is the result of rape, was approved by the Chilean Chamber of Deputies in March 2016 and is now before the Constitutional Commission of the Senate for review. However, a series of amendments have now been proposed to the bill that would place greater restrictions and hurdles to access to abortion services.

The first concerning amendment would allow any member of a medical team, and even any medical institution, to refuse to perform an abortion under the principle of “conscientious objection”. This could greatly limit women and girls’ access to safe abortions, and could be a violation of international law governing conscientious objection in cases where the woman or girl’s life is in danger. The second most worrying amendment would establish additional requirements in order to “prove” rape in order for rape victims to access a legal abortion, possibly requiring them to file a formal report of the rape for authorities to investigate the crime.

If these two changes to the bill are adopted, they will considerably weaken the scope of the bill and would severely restrict women and girls’ access to safe and legal abortion services. These amendments may also deter women and girls from seeking safe abortion services in cases of rape, due to the onerous and intrusive reporting and possibly risking criminalization for having an abortion without complying with all legal requirements.

Please write immediately in Spanish or your own language:

- Expressing your profound concern that the lives and well-being of women and girls in Chile would continue to be threatened if the proposed amendments to the draft “Law Regulating the Decriminalization of the Voluntary Interruption of Pregnancy in Three Causes” were to be approved;
- Urging legislators to reject the proposed amendments to the draft law or any amendment that further weakens the bill being discussed;
- Calling on legislators to adopt a Law that ensures women and girls have full and unrestricted access to abortion and other related sexual and reproductive health services in cases where pregnancy poses a risk to the life or 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 20 JULY 2017:

President of the Senate
Senador Andrés Zaldívar
Congreso Nacional de Chile
Avenida Pedro Montt s/n
Valparaíso, Chile.
Email: azaldivar@senado.cl
Salutation: Dear Mr. Senator /
Estimado Sr. Senador

Senator of Antofagasta Region
Senador Pedro Araya
Congreso Nacional de Chile
Avenida Pedro Montt s/n
Valparaíso, Chile.
Email: paraya@senado.cl
Salutation: Dear Mr. Senator /
Estimado Sr. Senador

Parliamentary Committee
Representative, Christian Democratic
Party
Senador Jorge Pizarro
Congreso Nacional de Chile
Avenida Pedro Montt s/n
Valparaíso, Chile.
Email: jpizarro@senado.cl
Salutation: Dear Mr. Senator /
Estimado Sr. Senador

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ROLANDO DRAGO, Embassy of Chile, 37-41 Old Queen Street SW1H 9JA, 020 7222 2361, Fax 020 7222 0861, embachile@embachile.co.uk, <http://chileabroad.gov.cl/reino-unido>

Please check with your section office if sending appeals after the above date.

AMNESTY
INTERNATIONAL



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ADDITIONAL INFORMATION

In 1989, the Pinochet regime repealed article 119 of the Sanitary Code, prohibiting all type of abortion, which became a criminal offense with no exceptions. During President Michelle Bachelet's first term, a national legislation on Fertility Regulation was approved, which included emergency oral contraception, also known as the "morning after pill".

On 31 January 2015, during her second term, President Michelle Bachelet presented a bill to Congress decriminalizing the voluntary interruption of pregnancy under three circumstances: when the pregnancy poses a risk to the life of a pregnant woman or girl, when the foetus cannot survive outside the womb, and when the pregnancy is the result of rape. It also established that health professionals had the obligation to maintain confidentiality regarding any abortion of which they were informed, even if it were not related to one of these three circumstances.

The bill was approved by the Chamber of Deputies in March 2016, but with several changes to the initial draft. The approved version does not contain the confidentiality guarantee. It also includes an obligation for health professionals to report to the Prosecutor's Office if a woman seeks abortion services due to rape.

The bill is currently before the Constitutional Commission in the Senate, and it is still pending a review by the Finance Commission before being voted on by both the plenary of the Senate and the plenary of the Chamber of Deputies. These reviews are set to take place from mid to late July this year.

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