

Uruguay poised to legalize abortion

September 25 2012, by Pablo Fernandez



People demonstrate against abortion legalization in downtown Montevideo, Uruguay, Monday, Sept. 24, 2012. Demonstrators protested the day before a congressional bill legalizing abortion is voted on. The signs read in Spanish "not to abortion." (AP Photo/Matilde Campodónico)

(AP)—Uruguay's congress appeared ready on Tuesday to legalize abortion, a groundbreaking move in Latin America, where no country save Cuba has made abortions accessible to all women during the first trimester of pregnancy.

Compromises made to secure votes disappointed both sides of the abortion divide, which gathered in protest. Once it gets through Uruguay's lower house, the measure would go back to the Senate for approval of changes, but President Jose Mujica has said he will allow it to become law.

The measure would give women the right to a legal abortion during the

first 12 weeks of pregnancy, and decriminalize later-term abortions when the mother's life is at risk or when the fetus is so deformed that it wouldn't survive after birth. In cases of rape, abortions would be legal during the first 14 weeks.

The goal is to reduce the number of illegal abortions in Uruguay, Congressman Ivan Posada of the center-left Independent Party told his fellow lawmakers Tuesday. Posada wrote the measure and is expected to provide a key 50th vote against the opposition of 49 other lawmakers.

"They talk of 30,000 a year, a hypothetical number, but whatever the number is, it's quite dramatic for a country where 47,000 children are born each year," Posada explained earlier in an Associated Press interview.

A poll this month showed 52 percent of Uruguayans would vote to legalize abortion if the question were put to the people, while 34 percent would vote against it. The survey of 802 people nationwide by the CIFRA consulting firm had a 3.4 percentage point margin of error.

Compromises include requiring women seeking abortions to justify their request before a panel of at least three professionals—a gynecologist, psychologist and social worker—and listen to advice about alternatives including adoption and support services if should she decide to keep the baby.

Then, she must wait five more days "to reflect" on the consequences before the procedure.

"It's important that the woman who decides to have an abortion attend this meeting where she will be informed, where they'll explain all the options including alternatives that she is free to choose from," Posada told the AP.

The review panel should obtain the father's point of view, but only if the woman agrees. Women under 18 must show parental consent, but they can seek approval from a judge instead if they're unwilling or unable to involve their parents in the decision.

The measure also allows entire private health care institutions, as well as individual health care providers, to decline to perform abortions.

Such requirements raised objections from Amnesty International and other groups, which say layers of bureaucracy will create barriers and delay abortions until more than 12 weeks have passed, thus forcing women and health care providers into criminal territory.

"This is not the law for which we fought for more than 25 years," complained Marta Agunin, who directs Women and Health, a non-governmental organization in Uruguay.

Also opposed are Uruguay's Catholic and evangelical institutions, which along with public hospitals provide much of the available health care in Uruguay.

A statement from Uruguay's Catholic University says it makes no sense to punish a woman for killing a fetus that is 12 weeks and 1 day old, but to decriminalize abortions before then. Conservatives also object to the removal of a proposal to require the father's consent before any abortion.

Cuba, which decriminalizes abortions in the first 10 weeks of pregnancy, is the only country in Latin America where legal abortion is common. Argentina and Colombia allow it only in cases of rape or when the mother's life is endangered. Colombia also allows it when there is proof of fetal malformation. Mexico City has legalized first-trimester abortions, but there are restrictions in most other parts of the country.

Many countries ban abortions under any conditions.

Uruguay's lawmakers have no desire to make their country a destination for women from other countries seeking abortions. The measure says only Uruguayan citizens and women who can prove at least one year's residency can apply. "This is a solution for those who live here, not that Uruguay becomes a place that attracts people from other countries for this procedure," Posada told the AP.

Opposition Deputy Javier Garcia of the center-right National Party accused lawmakers of treating living embryos as if they were "disposable," which he equated with murder.

The margin for the law was razor-thin on Tuesday after Deputy Andres Lima of the ruling Broad Front coalition said he would refuse to vote. With Posada joining the coalition, the measure appeared headed for passage by a 50-49 vote margin.

Dr. Marie Gonzalez, bioethicist at the University of the Republic, called the measure "evil" and vowed to work to persuade her fellow gynecologists to refuse to perform the procedure if it becomes law.

"The embryo-fetus is a human being, and as such has rights, like the human right to live," she said.

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