Global Abortion Laws and Policies

Ronnie Johnson, Rajat Khosla, Bela Ganatra
Outline

- Project background and methodology
- Abortion laws
- Service standards and guidelines
Global Abortion Laws and Policies

WHO/RHR/HRP

UN/DESA/Population Division
World abortion policies

The United Nations has been tracking legal grounds for abortion and selected reproductive health policies since 1996.
Documenting trends over time

<table>
<thead>
<tr>
<th>Year</th>
<th>To save a woman's life</th>
<th>To preserve a woman's physical health</th>
<th>To preserve a woman's mental health</th>
<th>In case of rape or incest</th>
<th>Because of foetal impairment</th>
<th>For economic or social reasons</th>
<th>On request</th>
<th>Not permitted</th>
<th>Total number of countries</th>
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</table>
Documenting trends over time

Changes in the distribution of countries by legal grounds for abortion between 1996 and 2013

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Legal grounds for abortion

Related laws

Service standards and guidelines
Global Abortion Policies Project

Aims
• Transparency of abortion laws/policies
• Accountability for women’s health and their human rights

Key outputs
• Global law and policies database
• Documents repository
• Country profiles
• Regional analyses

Audience
• Policymakers and advisors
• SRHR NGOs
• Human rights bodies
• Researchers

Updates
• Real-time
• Systematic country engagement every 5 years
‘Ideal’ evolution of policy strengthening

- Official policies
- Evidence on practice
- Positive policy reforms
Methodology

<table>
<thead>
<tr>
<th>Document retrieval and data extraction</th>
<th>Review and validation</th>
<th>Country review</th>
<th>Final data revisions</th>
<th>Software development, data coding and entry</th>
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<tr>
<td>January 2015</td>
<td>July</td>
<td>December</td>
<td>January 2016</td>
<td>February</td>
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<tr>
<td>Document retrieval and data extraction</td>
<td>Data queries resolved</td>
<td>Documents sent to countries for review</td>
<td>Data validated by HRP legal team</td>
<td>Database software developed and tested</td>
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<tr>
<td></td>
<td>10% of data forms validated</td>
<td>Country-reviewed data queries resolved</td>
<td>Country-reviewed data queries resolved</td>
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Launch anticipated in Spring 2017
Data sources

~1000 official law/policy documents

From 193 United Nations Member States

85 country reviews
The database

Abortion laws
- Legal grounds
- Gestational limits
- Who can be prosecuted for unlawful abortion

Service standards and guidelines
- Who, where, how abortion can be provided
- Authorisation requirements
- Mandatory waiting periods
- Counselling requirements
- Screening tests
- Conscientious objection
ABORTION LAWS
Transparency of abortion laws

- Transparent
- Translucent
- Opaque
Accountability

- State liability for policies and actions
- Women’s health
- Women’s human rights
Where abortion laws and policies reside

- Health regulations
- Separate abortion laws
- Embedded in larger acts or codes
- Special provisions
Abortion laws and nuances therein

Abortion to save a woman’s life
• Usually no gestational limit

Abortion to prevent harm to a woman’s health
• Gestational limit sometimes specified
• Health often specified as physical and mental
• Specific health harms often noted

Abortion for cases of rape and incest
• Gestational limit usually specified
• Specificities may include police reports and court orders

Abortion for cases of fetal impairment
• Gestational limit usually specified
• Specificities may include particular conditions and severity
Abortion laws and nuances therein

Abortion on a woman’s request

- Gestational limit usually specified
- Usually without restriction as to reason, but not always

Abortion for other reasons

- Gestational limit usually specified
- Other reasons may include: woman’s cognitive disability, being a minor, woman’s economic and social situation
Who can be criminally charged?

- Woman who has the abortion
- Person who provides abortion
- Other persons who assist the woman
WHO evidence- and human rights-based health standards

Ongoing process of standards strengthening

New and strengthened health and human rights standards

Human rights standards developed or strengthened

Strengthened underlying HR rationale for health standards and ideas for new research
Service standards and guidelines:
## Service-delivery policies

<table>
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<th>National guidelines</th>
<th>Care provider</th>
<th>Level of care</th>
<th>Methods</th>
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<td>• Induced abortion</td>
<td>• Specialist</td>
<td>• Tertiary level</td>
<td>• Vacuum aspiration</td>
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<tr>
<td>• Post-abortion care</td>
<td>• GP</td>
<td>• Secondary level</td>
<td>• Mifepristone-misoprostol</td>
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<tr>
<td>• Emergency obstetric care</td>
<td>• Non-physicians</td>
<td>• Primary level</td>
<td>• D&amp;E</td>
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</table>
Mifepristone and Misoprostol

- Essential medicine list
- Other official approval
- Indications for use
- Permitted in pharmacies
## Access requirements

<table>
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<tr>
<th>Third-party authorizations</th>
<th>Mandatory waiting periods</th>
<th>Mandatory counselling</th>
<th>Medically unnecessary tests</th>
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<td>• Parental</td>
<td>• Including number of days, from what point in time, and exceptions</td>
<td>• Including requirements for biased counselling</td>
<td>• Including HIV or other STI tests</td>
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<td>• Spousal</td>
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<td>• Multiple physicians</td>
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<td>• Committees</td>
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Conscientious objection

For individuals and facilities

Information and referral requirements
Insurance coverage

- Induced abortion for all women
- For particular groups of women
- For treatment of complications only
- Private health insurance cover
Service standards and guidelines:

| Countries | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] | \[ | \] |
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WHO guideline standards

comments
Next steps

Finalisation of database
• Complete data coding
• Data entry

Primary analyses
• Country profiles
• Regional analyses

Launch
• Go live
• Publications

Post-launch
• Secondary analyses
• Capacity strengthening
• Ongoing updates
## Acknowledgements

<table>
<thead>
<tr>
<th>WHO/UNPD</th>
<th>Legal consultants</th>
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