



2012 FIAPAC Congress
“Unwanted pregnancy - a fact of life”
Edinburgh, 19-20 October 2012

Workshop Conscientious objection

Examples from Italy

Mirella Parachini
ACO S.Filippo Neri
Rome Italy





**The Italian abortion law no. 194 approved in 1978
is often considered
one of the most advanced in Western Europe.**



The law provides such broad grounds on which abortion is permitted that it has been

interpreted by some as allowing abortion on request

—although the law does not specifically contain such a provision—

because

it is the woman herself who attests

that she is in one of the situations described by the law and

the primary role of the physician is to certify the existence of a pregnancy

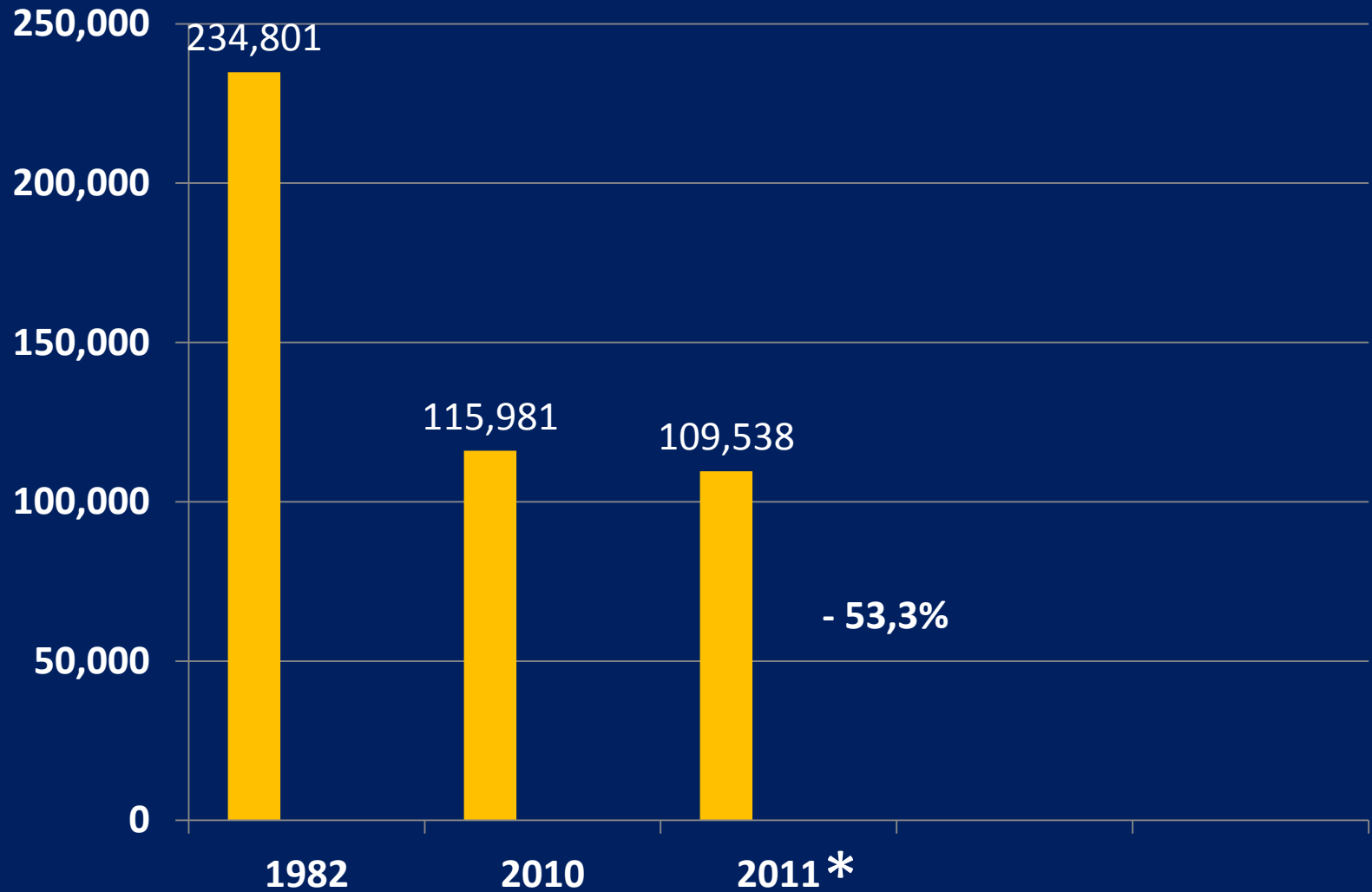
Abortion law no. 194 approved in 1978



an abortion may only be carried out in a public hospital or authorized private facility

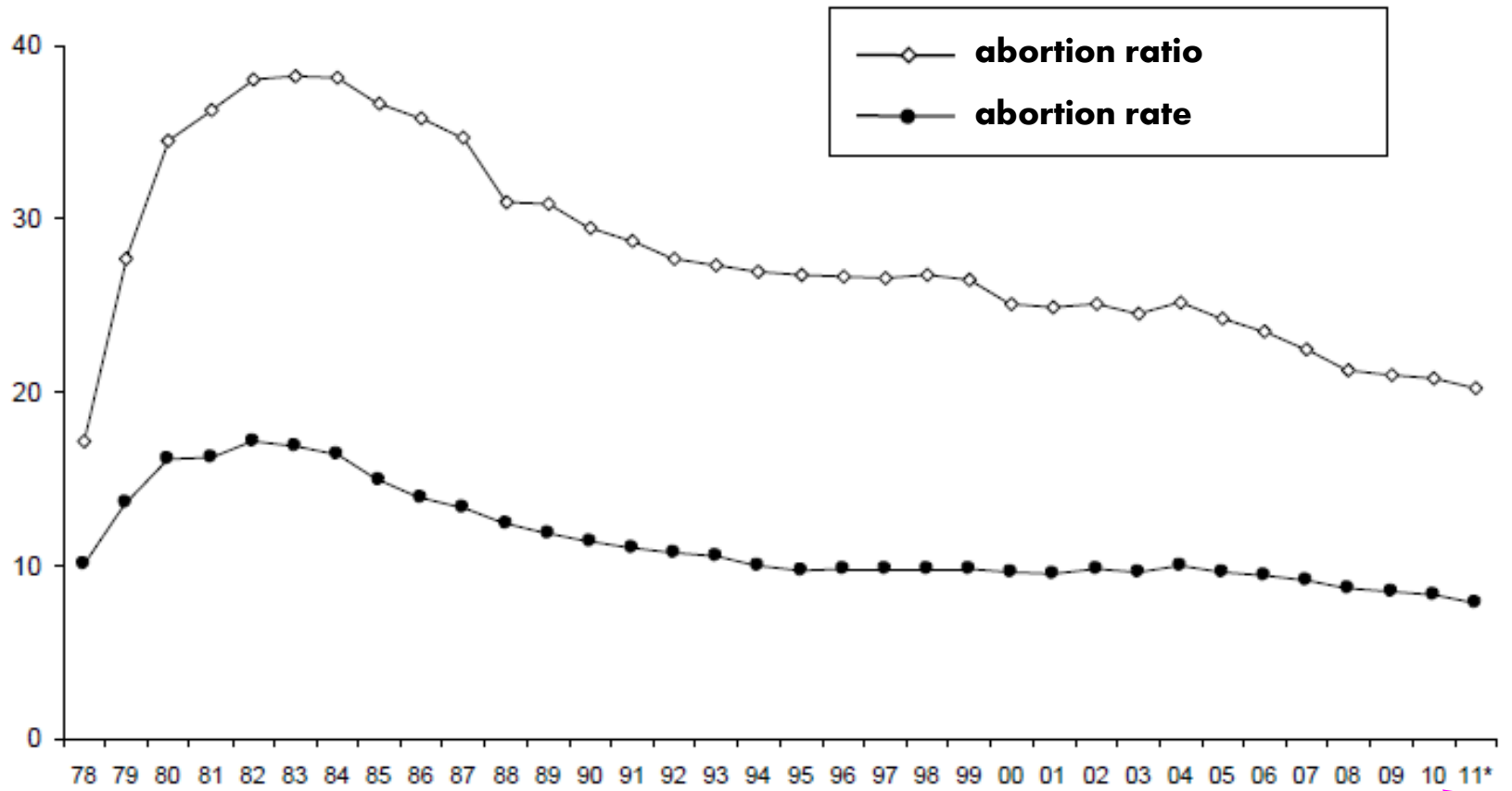
there are no special abortion clinics in Italy

Number of legal abortion in Italy



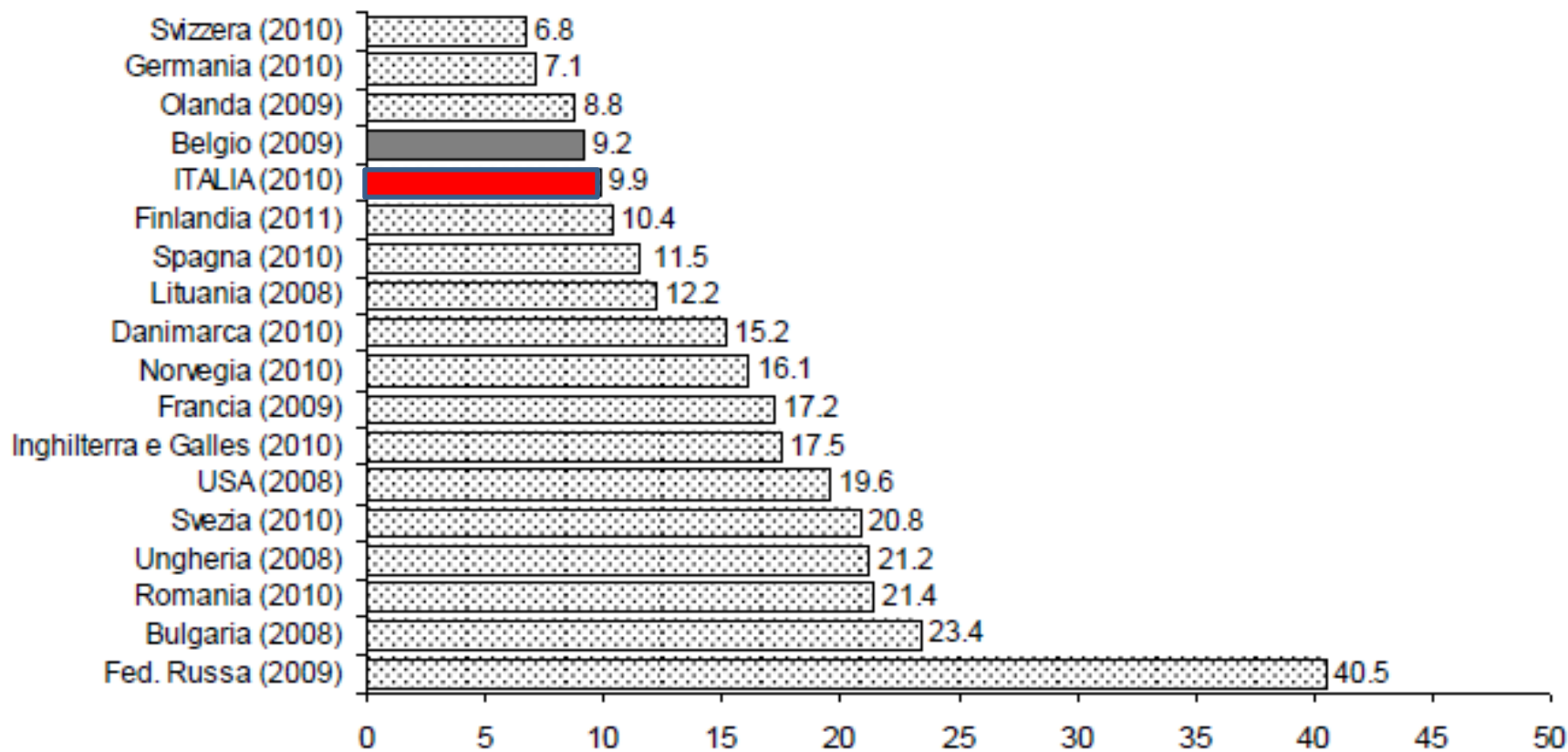
*

Figura 1 – Tassi e Rapporti di abortività – Italia 1978-2011



* dato provvisorio

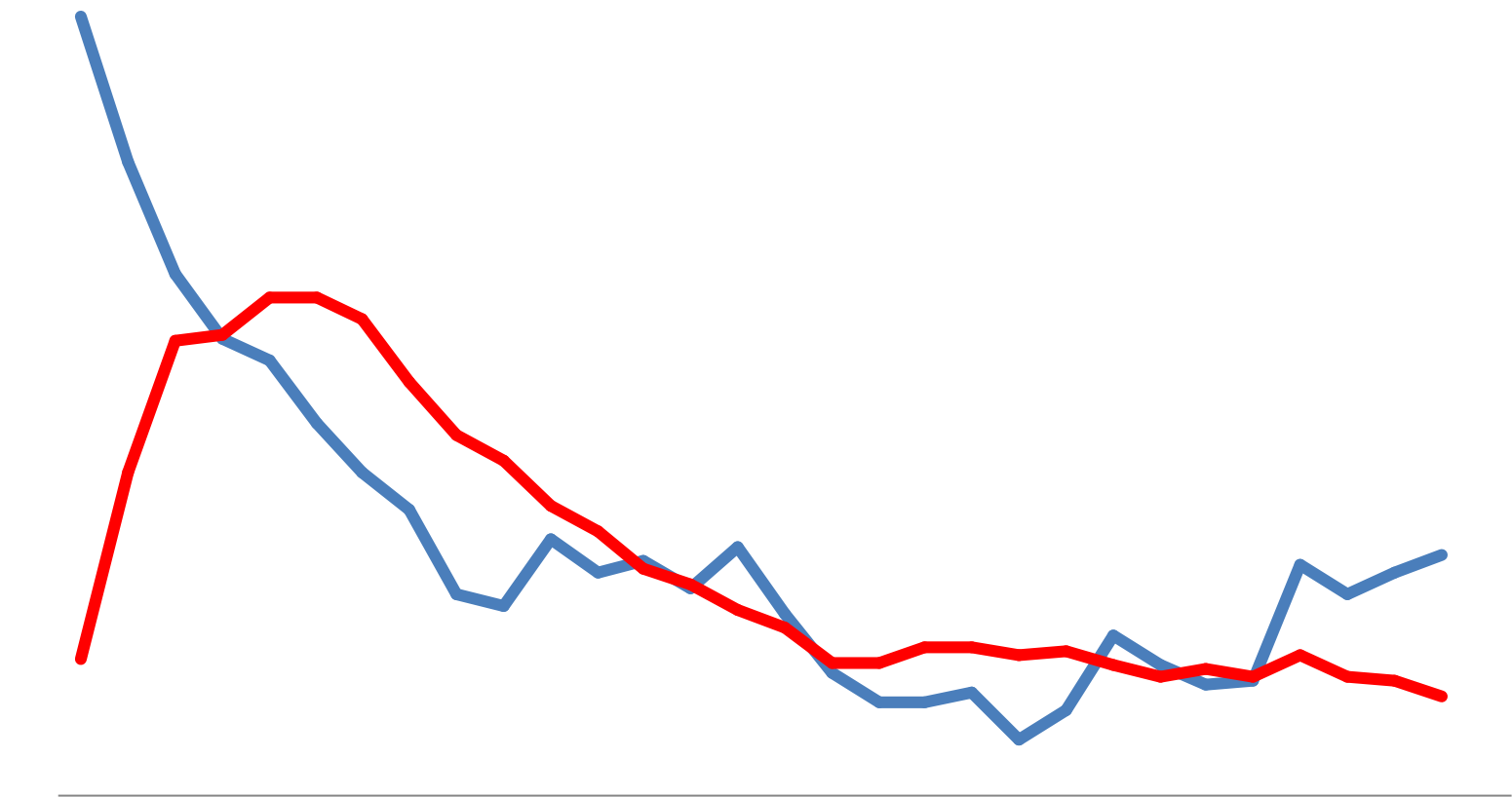
7.8 per 1000 w 15-49



Fonte: Statistiques nationales / Eurostat; Alan Guttmacher Inst. 2011

children per woman in Italy

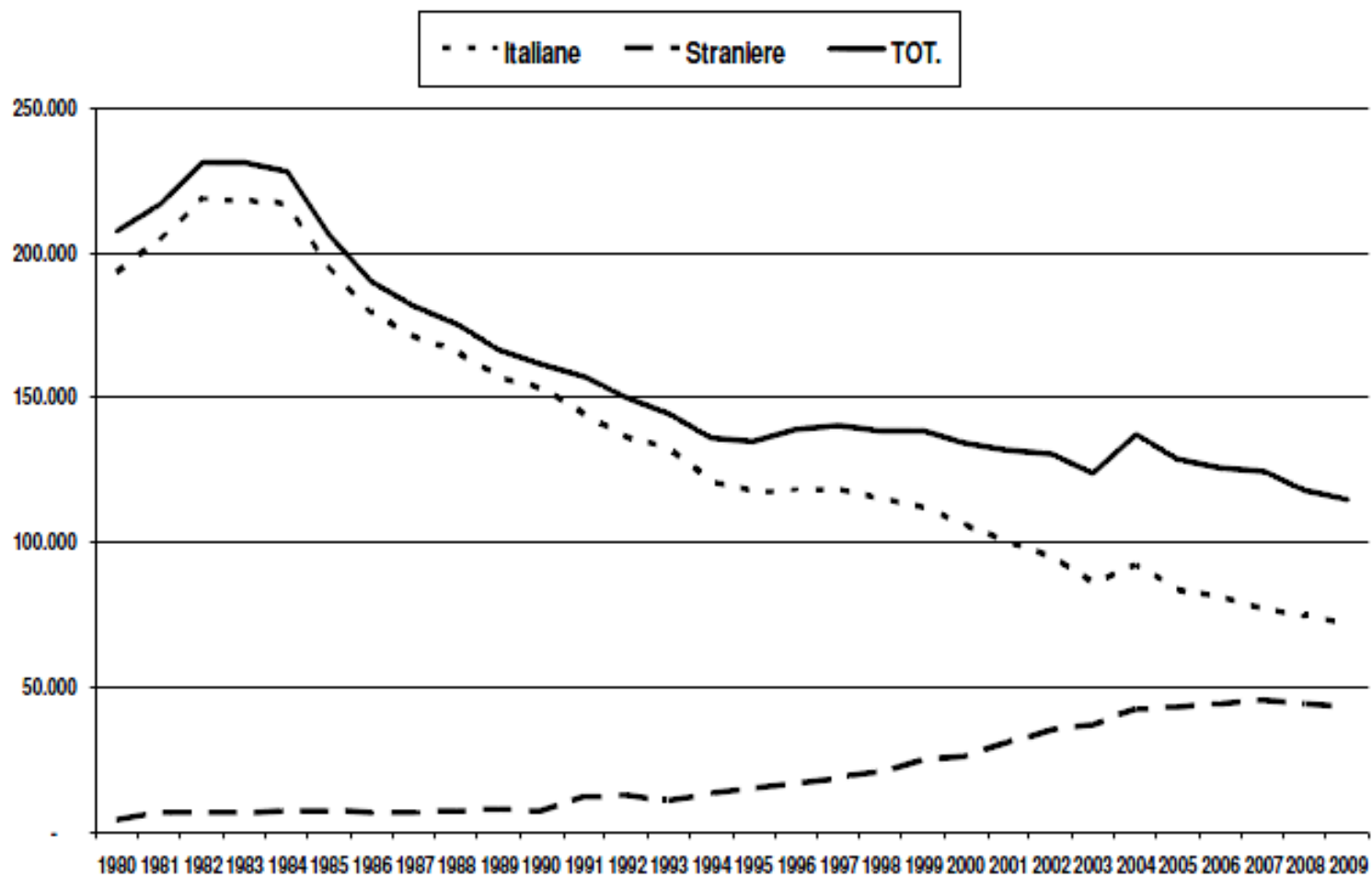




1978 1980 1982 1984 1986 1988 1990 1992 1994 1996 1998 2000 2002 2004 2006 2008

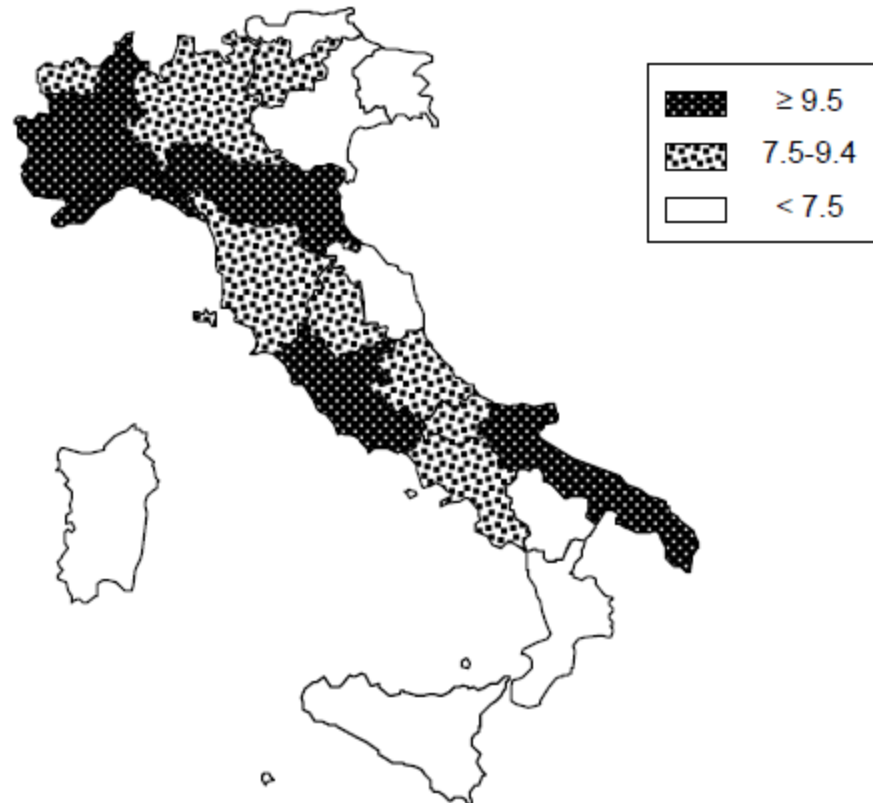
— births — abortion

the number of induced abortions among foreign women has increased



data varies considerably from one region to another

Figura 2 – Tassi di abortività – 2010





Conscientious objection is a major limiting factor
in the implementation of the law



Law No. 194 article 9

Health care providers
shall not be required to assist in the procedures

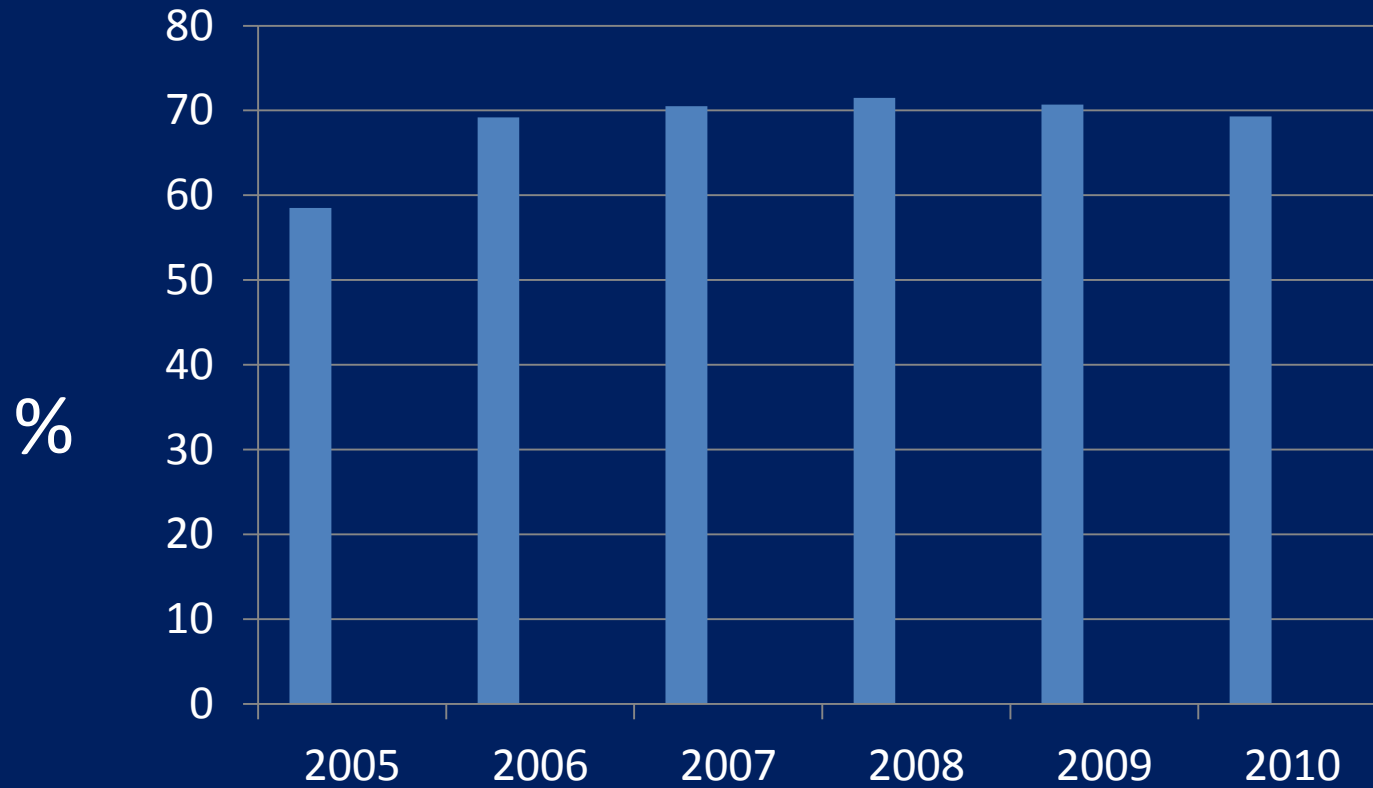
if they have a conscientious objection

declared in advance

Conscientious objection to Abortion: art. 9

- ❑ Health professionals shall not take part in pre-abortion counseling and abortion provision when they express their **conscientious objection**, which **must be preventively declared** (when they are hired, via written declaration)
 - **Only exception: life risk for the woman!**
- ❑ They are **exempted from all procedures/activities aimed at provoking the termination**, but **NOT from assistance before/after them**
- ❑ **Registered hospitals and clinics must ensure abortion provision** and regions must control and grant the application of the Law (e.g by promoting physicians' mobility)
 - **However, many hospitals do not provide abortion services**
 - **Women migrate to other hospitals/cities/regions!**

% of gynaecologists conscientious objector



70,7 per cent of the gynaecologists

Tabella 28 - Obiezione per categoria professionale nel servizio in cui si effettua l'IVG 2009

REGIONE	GINECOLOGI		ANESTESISTI		PERS. NON MEDICO	
	N	%	N	%	N	%
ITALIA SETTENTRIONALE	1652	65,2	1684	43,1	3498	31,5
Piemonte	284	63,8	227	40,9	367	20,8
Valle d'Aosta	2	18,2	5	26,3	0	0,0
Lombardia	560	66,9	607	47,1	1000	40,3
Bolzano	26	81,3	26	38,8	166	68,9
Trento	19	55,9	21	31,8	367	22,4
Veneto	391	78,0	430	49,0	1011	59,8
Friuli Venezia Giulia	67	60,4	39	36,1	174	30,5
Liguria *	98	57,3	128	28,1	98	6,8
Emilia Romagna	205	52,4	201	33,9	315	25,3
ITALIA CENTRALE	681	69,5	709	52,3	2813	48,6
Toscana	219	62,2	122	27,7	347	30,8
Umbria	62	63,3	95	63,3	1038	62,5
Marche	85	62,0	97	50,3	774	43,3
Lazio	315	80,2	386	69,5	654	53,6
ITALIA MERIDIONALE	972	80,4	808	66,2	2415	56,5
Abruzzo *	84	78,5	94	57,3	189	66,3
Molise **	24	82,8	28	77,8	73	82,0
Campania **	329	83,9	262	77,1	515	72,4
Puglia	340	79,4	274	61,3	953	73,5
Basilicata	69	85,2	59	63,4	421	27,1
Calabria	126	73,3	91	64,5	264	78,1
ITALIA INSULARE	680	74,1	607	68,7	1747	72,5
Sicilia	541	81,7	526	75,7	1426	87,0
Sardegna	139	54,3	81	42,9	321	41,8
ITALIA	3985	70,7	3799	51,7	10473	44,4

LAZIO



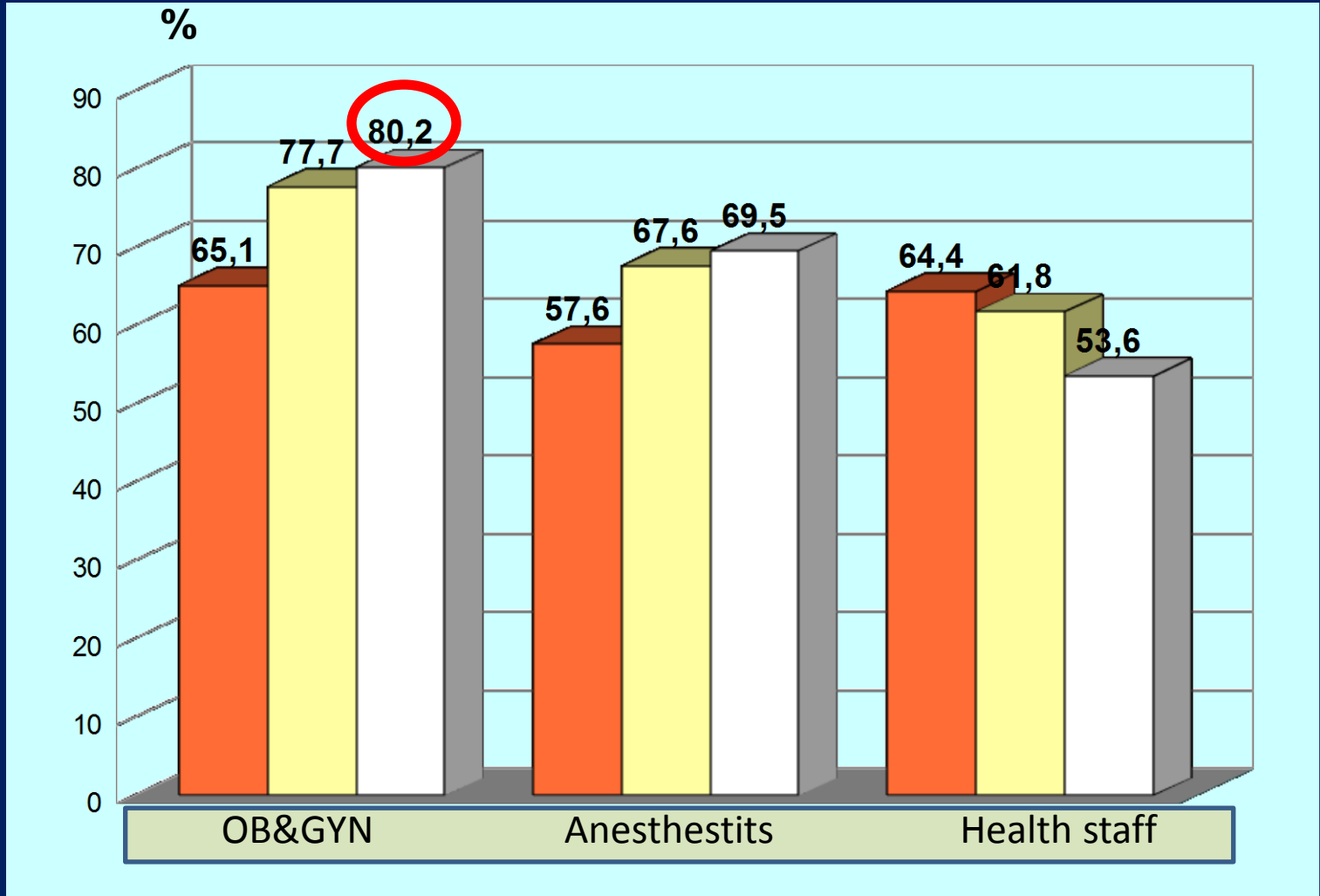
10 public hospitals /30 no abortion service

- **S.Anna, Roma (26 AS nel 2009)**
- **Osp. S.Andrea, Roma (81 AS nel 2009)**
- **Osp. Parodi Delfino, Colleferro (79 AS nel 2009)**
- **Osp. Angelucci, Subiaco (34 AS nel 2009)**
- **Osp. Civile Paolo Colombo, Velletri (158 AS nel 2009)**
- **Osp. Civile, Tarquinia (70 AS nel 2009)**
- **Osp. Belcolle, Viterbo (113 AS nel 2009)**
- **Osp. S.Scolastica, Cassino (151 AS nel 2009)**
- **Osp. S.Benedetto, Alatri (134 AS nel 2009)**
- **Osp. Santissima Trinità, Sora (113 AS nel 2009)**

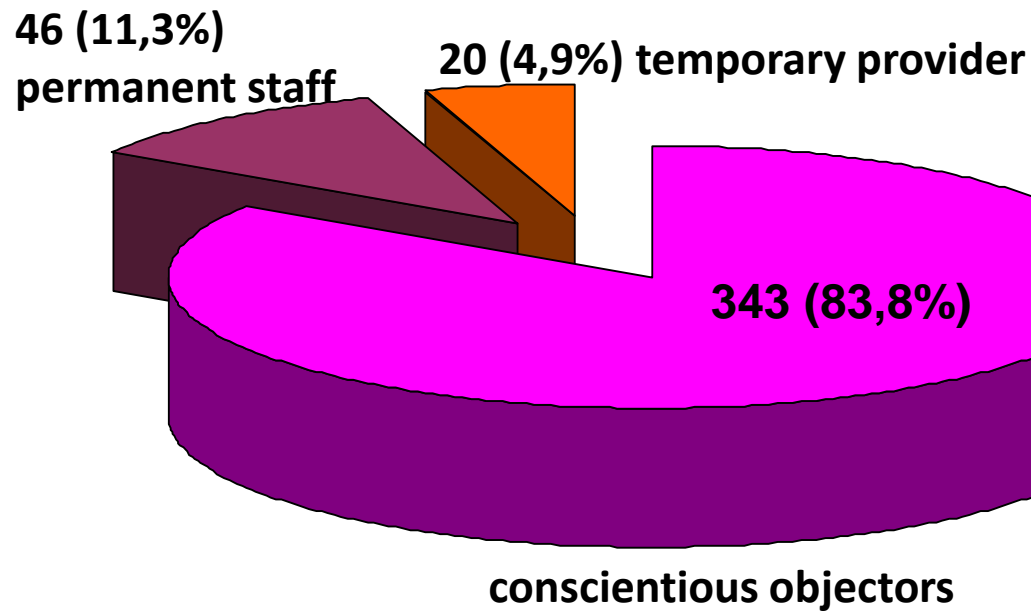
+

Policlinico Tor Vergata (University)

Conscientious objections Lazio

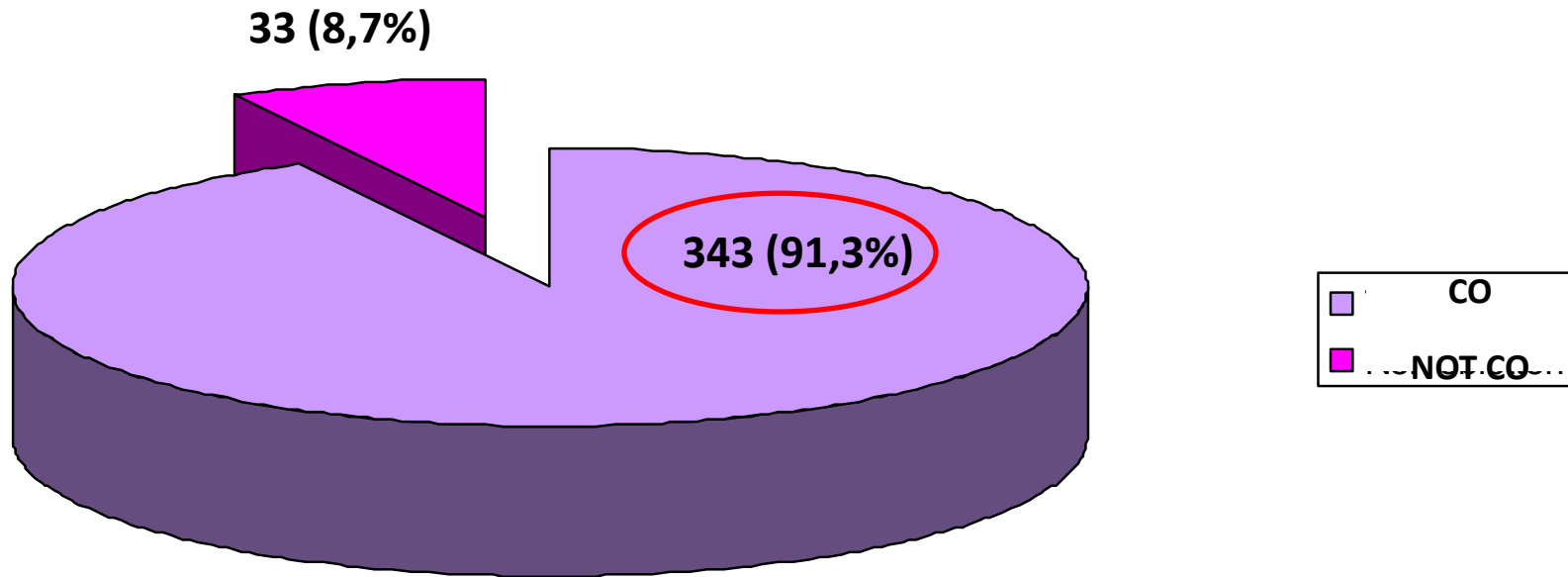


Conscientious objectors gynaecologists Lazio



Second trimester abortion

Permanent Gynaecologists : 389



NOT APPLIED

**In all cases, hospital establishments
shall be required to ensure that the procedures ...
are carried out and pregnancy terminations requested ...
are performed**



the delay between the issue of a certificate and the procedure is

at least two or three weeks

gestational age

IVG (%) per epoca gestazionale, cittadinanza e area geografica, 2010

	Epoca gestazionale							
	≤8		9-10		11-12		> 12	
	italiane	straniere	italiane	straniere	italiane	straniere	italiane	straniere
NORD	38.7	32.1	39.6	44.0	15.9	21.9	5.8	2.0
CENTRO	39.3	26.9	42.0	47.8	14.1	21.3	4.6	1.3
SUD	58.7	47.3	31.3	39.5	8.1	12.7	1.8	0.5
ISOLE	37.0	34.2	47.3	50.6	12.2	14.3	3.5	0.9
ITALIA	44.4	33.2	38.5	44.7	12.9	20.5	4.2	1.6

anesthesia

IVG (%) per tipo di anestesia, cittadinanza e area geografica, 2010

	Generale		Locale		Analgesia	
	Italiane	Straniere	Italiane	Straniere	Italiane	Straniere
NORD	93.7	92.9	4.5	5.5	1.8	1.6
CENTRO	83.6	79.1	16.1	20.7	0.3	0.1
SUD	92.7	89.5	6.6	10.2	0.7	0.3
ISOLE	96.1	94.3	2.1	2.8	1.8	2.9
ITALIA	91.6	89.0	7.2	9.9	1.2	1.1

Mifepristone approval

1988

- China
- France

1991

- UK

1992

- Sweden

1999

- Austria
- Belgium
- Denmark
- Finland
- Germany
- Greece
- Iceland
- Israel
- Luxembourg
- Netherlands
- Spain
- Switzerland

2000

- Norway
- Taiwan
- Tunisia
- US

2001

- New Zealand
- South Africa
- Ukraine

2002

- Belarus
- Georgia
- India
- Latvia
- Russia
- Serbia
- Vietnam

2003

- Estonia

2004

- Guyana
- Moldova

2005

- Albania
- Hungary
- Mongolia
- Uzbekistan

2006

- Kazakhstan

2007

- Armenia
- Kyrgyzstan
- Portugal

2008

- Romania
- Nepal

2009

- Italy
- Cambodia

2010

- Zambia

2011

- Ghana
- Mexico
- Mozambique



Medical abortion has been approved since 2009

only within 49 days of amenorrhoea

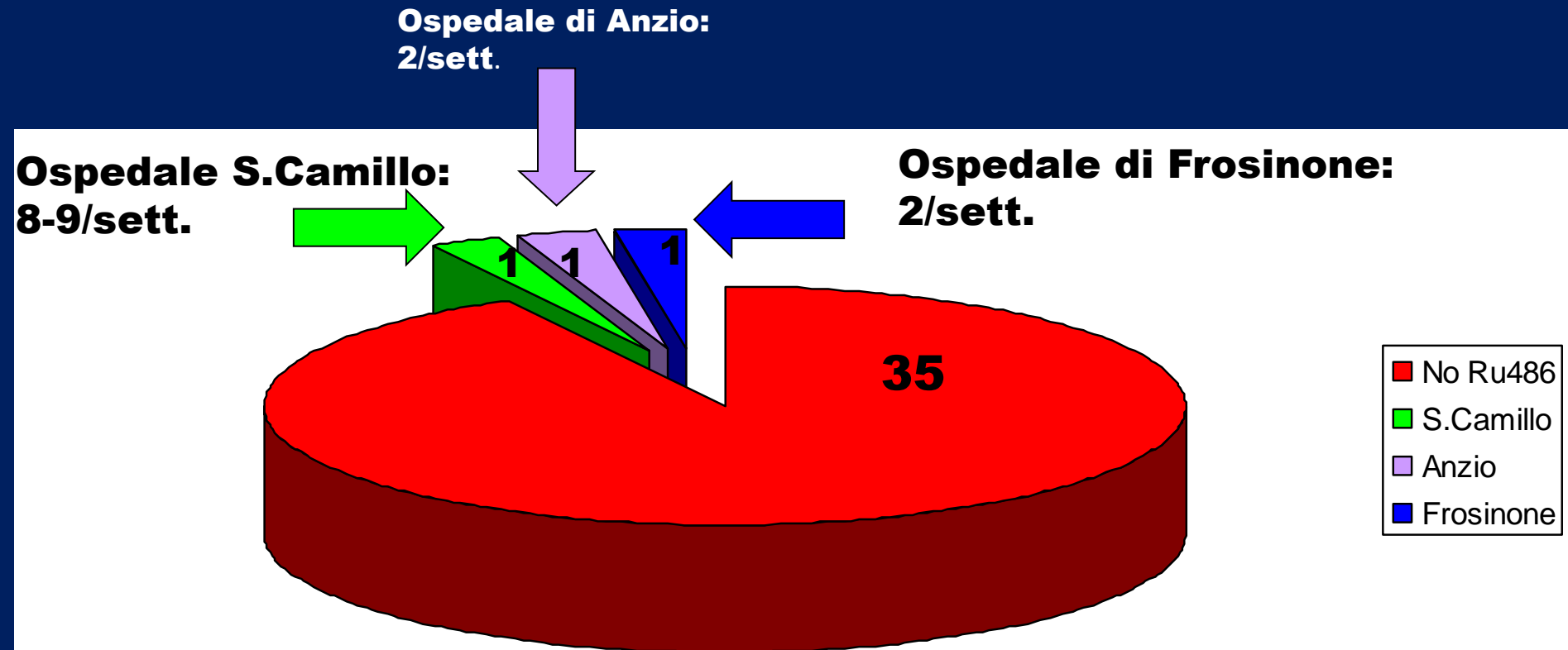
in spite of the European mutual recognition procedure

medical procedures

2010	3836
2011 (6 months)	3404 estimated tot 7000

Medical abortion in Lazio

total number hospitals = 53



Beyond religion: other factors influencing obgyns' attitudes to abortion and CO

**Objectors and non objectors agree: there are many “fake objectors”
What does it mean? Why do many non religious obgyns claim CO?**

1. Where chief gynaecologist is objector= high rates of CO
Individual or systemic CO?
 2. Experience/fear of abortion stigma & discrimination (more common where CO rates are high): *“abortion care is the Cinderella of gynaecology”*
 3. Lack of good training in abortion provision and epidemiology:
obgyns with better training in abortion care are less likely to claim CO
 4. Emotional distress/moral conflicts provoked by surgical abortion procedures, particularly *at 12 wks<* (more common where CO rates high):
“it looks/behaves like a baby” (power of scan images)
 5. Most obgyns envisage the embryo/fetus as a “patient” and/or a “life to safeguard” ... *if not abnormal!*
- Abortion for foetal abnormalities considered “morally better” than social abortion (woman as victim *versus* irresponsible woman):
higher rates of CO to social abortions!

**IN QUESTO OSPEDALE E'
VIETATO**



SCEGLIERE

in this Hospital you cannot choose



Restrictions in access to abortion and
lack of having the choice
between a medical or a surgical procedure
are currently the major problems

The “morning-after” pill still requires a prescription in Italy
where it was introduced in 2000



Pisa, 2008

*two women were reportedly denied prescriptions for the drug by pro-life doctors with
conscientious objections to providing the drug*

“This behavior could be against the code of conduct...”

**The prescription of the morning-after pill has got nothing to do with
the issue of conscientious objection”**

Rocco Damone, the health manager responsible for the hospital

Italy doctors reignite “emergency contraception” conscience debate

Education Minister Giuseppe Fioroni said that

“freedom of conscience is something that is clearly sanctioned by the Italian Constitution”

The Vatican has argued that doctors should follow their consciences on the matter.

Pope Benedict said that **pharmacists also** had the “recognized right”

to refuse to supply the pill



Thank you