

# **Late abortion in Europe**

## **Laws, practice and unmet need**

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# Abortion laws in Europe: First trimester

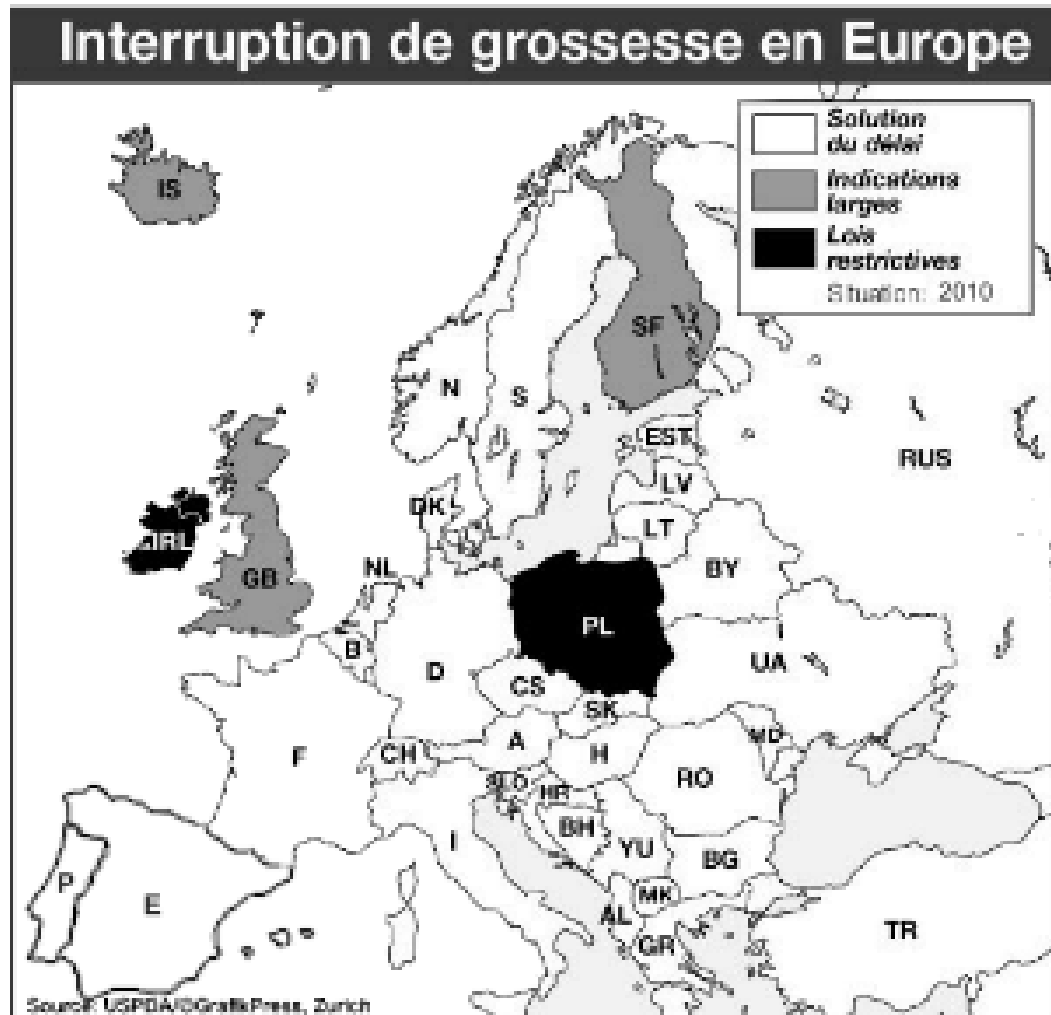
## Abortion on request in most countries

- up to 10, 11, 12, 13, 14 weeks
- some countries up to 16, 18 or 22 weeks

### Exceptions :

- psychosocial reasons, 2 doctors' approval in CY, FIN, IS, L and GB
- very restrictive laws/prohibition in IRL, Northern IRL, PL, AND, FL, M, MC, S. Marino

# Abortion laws in Europe: First trimester



# Abortion laws in Europe: Late abortion

The **LAWS** of ALL but 3 countries in Europe allow abortions in **2nd and 3rd trimester for SOME reason(s)** :

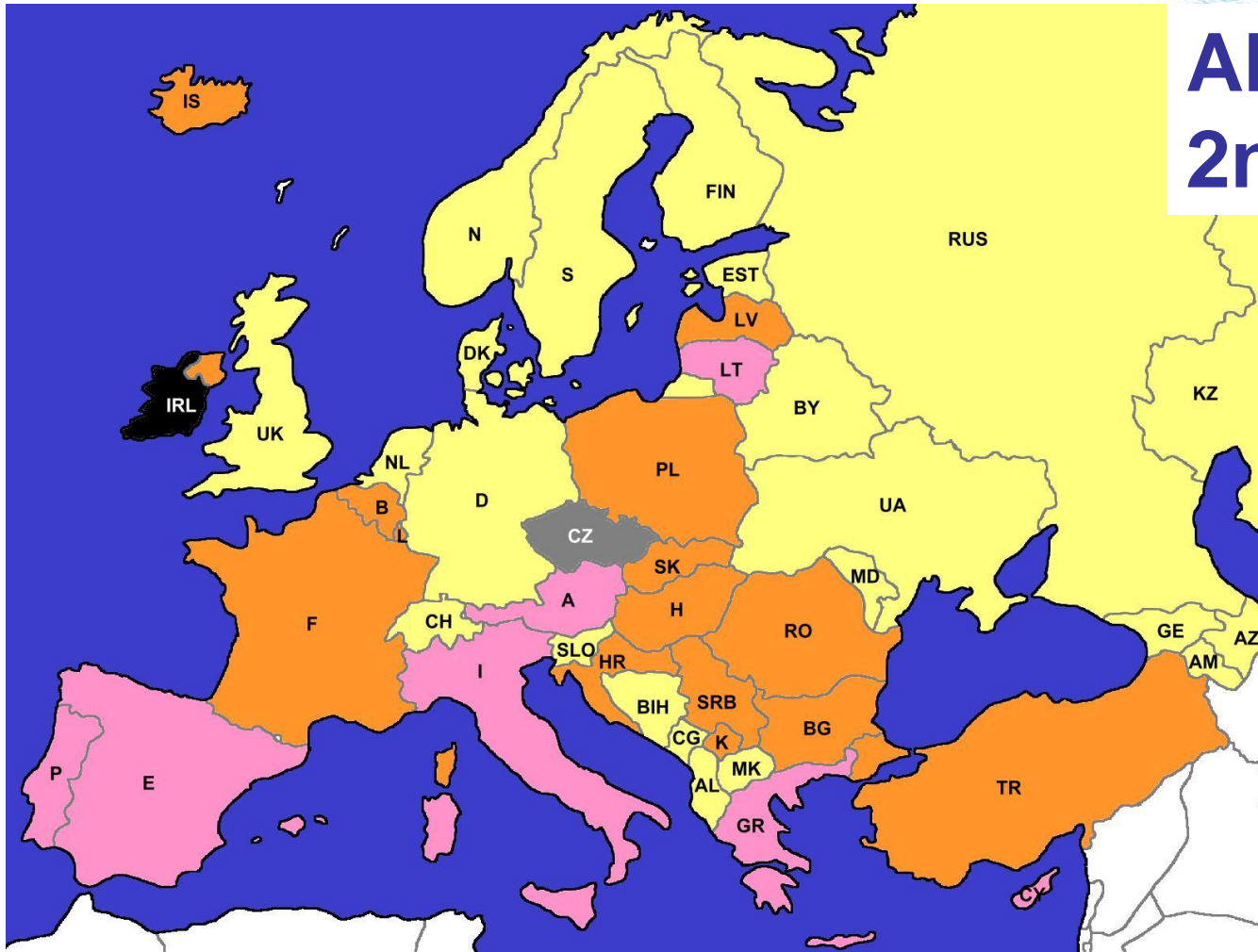
1. Maternal life (vital indication) *or*
2. Maternal life + fetal **LETHAL** indication *or*
3. Maternal **HEALTH** and life + **SEVERE** fetal indication *or*
4. Maternal health including **MENTAL** health *or*
5. Physical + mental health, taking account of life circumstances (**SOCIOMEDICAL / PSYCHOSOCIAL**)

## Late abortion: time limits

**Less restrictive legal grounds in the 2nd trimester than after „viability“ in many countries.**

- **Different time limits: 18, 20, 21, 22, 24 weeks (sometimes unclear whether p.m. or p.c.).**
- **In some legislations point of viability not defined.**
- **2nd trimester :**  
in most countries **health**, often also explicitly **mental health**, sometimes also **sociomedical** or – at least some – social grounds accepted.

# Abortion laws 2nd trimester



Legal grounds	
	vital
	vital + fetal lethal
	health + severe fetal
	health incl. mental
	health incl. soc-med

Sources:  
National laws

Harvard University: <http://www.hsph.harvard.edu/population/abortion/abortionlaws.htm>

IPPF European Network: Abortion Legislation in Europe May 2012.pdf

## Late abortion: 3rd trimester

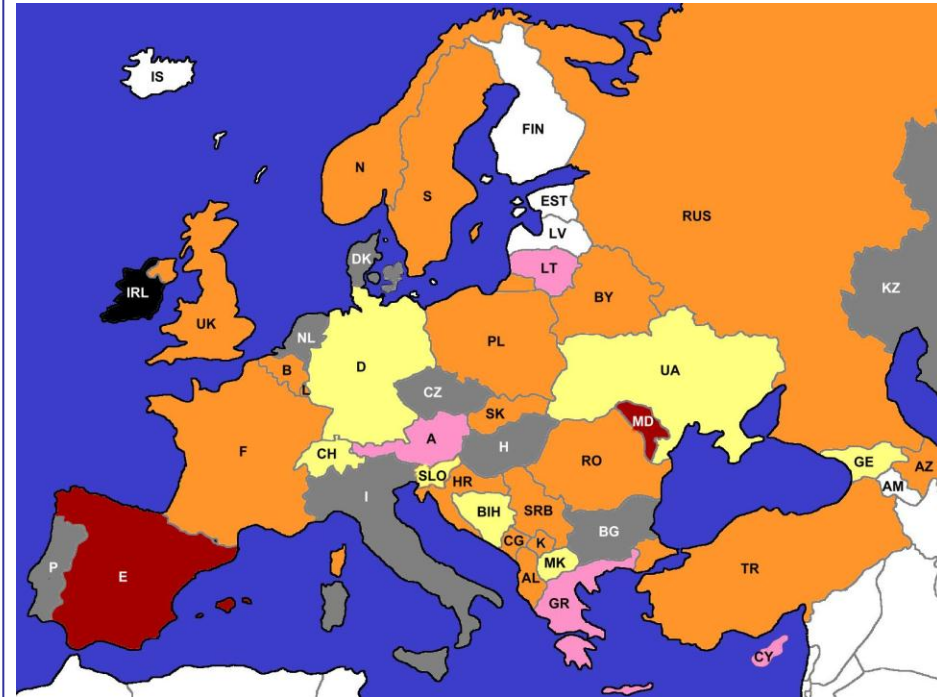
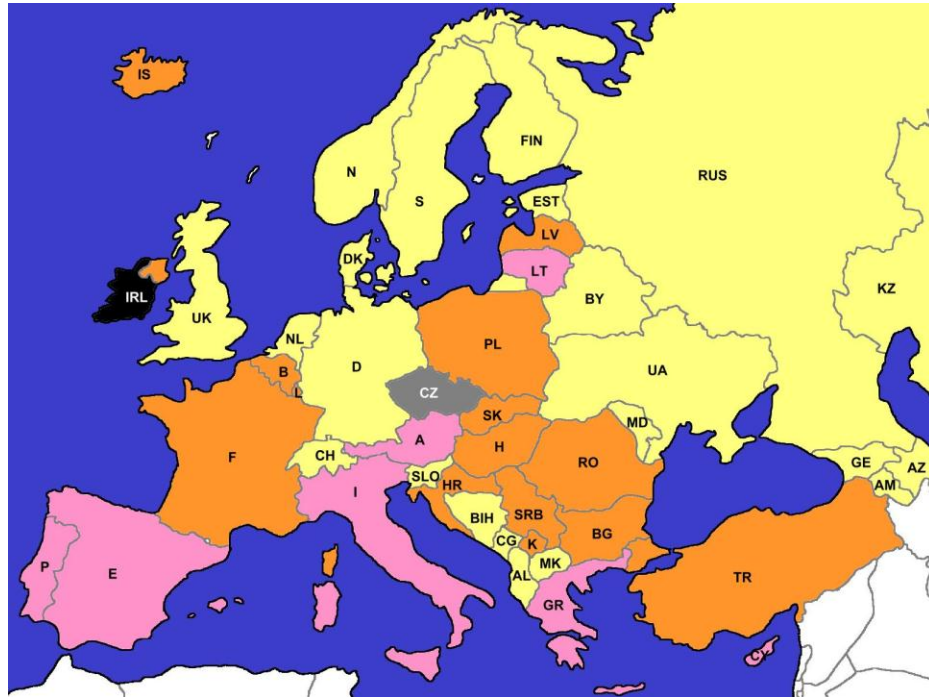
**More restrictive legal grounds for abortions in the 3rd trimester (from „viability“) in many countries.**

- **Vital and lethal fetal** grounds only, sometimes also **severe health** indications not further defined.
- **Different time limits: 18, 20, 21, 22, 24 weeks** (sometimes unclear whether p.m. or p.c.).
- **Sometimes point of viability not defined.**

# Differences 2nd / 3rd trimester

2nd trimester: sociomedical, mental health often accepted

3rd trimester: often only strict medical grounds accepted



Legal grounds for abortion

vital only	vital + fetal lethal	severe fetal	health + severe fetal	health incl. mental	health incl. soc-med	unknown
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# Late abortion (>12/14 weeks) in practice

- **discrepancies between law and practice**
- **arbitrary interpretation** of health indication – fetal more accepted than woman's mental health risk

## 1. >12 weeks up to viability (20/22/24 weeks)

- a) quite readily accessible for psycho-social grounds:  
DK, E (?), FIN, GB, N, NL, S, SLO
- b) ± restrictive (regional differences): e.g. B, CH, F, RUS
- c) very restricted access (in deviance from law):  
A, D, I

## 2. >20/22/24 weeks

**Access extremely limited** in all countries. Mental health grounds rarely accepted, even where law would allow it.

# Switzerland for example

**A liberal law:** >12 weeks : health reasons incl. risk of „profound mental distress“. The risk must be all the greater as pregnancy progresses,

- **no time limit**
- **no second medical opinion**

## **Restrictive practice:**

- Survey 2009: 50% of hospitals do not accept „profound mental distress >12 weeks, almost none >22 weeks.
- Survey 2011: nearly 50% of family planning centers observed refusals of 2nd/3rd trimester abortions. Women were sent to NL, GB, E, F

# Late abortion – who are those women?

## Women in need of 2nd and 3rd trimester abortion:

- often poor, young, from cultural minority groups, victims of violence
- pregnancy / fetal illness detected late with no fault of their own
- delayed by health professionals
- severe psychological problems, denial of pregnancy

### Sources:

Ingham R, Lee E et al. Reasons for Second Trimester Abortions in England and Wales. In: Second trimester abortion. Reproductive Health Matters. Vol 16 No 31 Supplement May 2008

Dr. med. Dorin Ritzmann, Experience in a private practice, presentation University Hospital Zürich, 2009

## **Cases at *Abortion-information***

**[www.svss-uspda.ch](http://www.svss-uspda.ch)**

**Swiss website in German, French, Italian**

**Calls / e-mails arrive from women in Switzerland and neighbouring countries, seeking abortion for psycho-social (>12 weeks) or fetal indications (>24 weeks).**

- **Pregnancy detected after time limit for abortion on request (irregular menses, menses suppressed by contraceptive, no symptoms)**
- **Fetal non lethal illness detected >24 weeks**

## Unmet need - Abortion „tourism“

For 2nd trimester abortions women mainly travel to NL, GB, E, to some extent also to SLO and S

For 3rd trimester abortions (mostly in case of non lethal fetal anomalies) to F, SLO, US (and to E before 2008)

- Paradoxically, some countries are at the same time origin and destination of abortion “tourists”: e.g. NL, B, CH, F
- **NOTE: 3<sup>rd</sup> trimester abortions: very rare, but most desperate women, terribly dramatic cases**

## **Unmet need – what we can do about it (1)**

**Women should be able to obtain abortion as early as possible, as late as necessary.**

**Women in need of 2nd or 3rd trimester abortions are always in a most desperate situation – otherwise they would not ask for an abortion at that stage:**

- **they should not have to travel long distances**
- **should be treated with empathy and respect by qualified professionals**

## Unmet need – what we can do about it (2)

- Break the taboo, stop stigmatization of late abortion
- Interpret existing laws more liberally
  - **Health = a state of complete physical, mental and social well-being**
- Find out and make transparent what actually is possible at which places
- Educate and raise sensibility of professionals / of the public
- Offer clinical training to professionals
- Repeal of abortion laws ???!



*Violence against women*

**Forced motherhood is servitude and compulsory labour,  
prohibited by the Universal Declaration of Human Rights  
and the European Convention on Human Rights**