



# Southern China International MUN

*Human Rights Committee: On measures to define reproductive justice and establish a common ground on abortion rights*  
 Agenda overseen by: *Nadia Woo*

## 1. Description of the Issue

### 1.1 Aim

The topic is focused specifically on providing equal abortion rights around the world. This will be through the debates on the definition of reproductive justice in different cultures and beliefs, acknowledging the multi-faceted nature of this discussion as it is between the lines ethically, socially, and in terms of religion. Then the conference wish to recognize the current issues around abortion and establish frameworks to provide facilities and expertise to ensure healthcare and provide abortion if need be.

### 1.2 Key Terms

<i>Abortion</i>	The deliberate termination of a human pregnancy, it can be done through medication and medical procedures (Medline Plus).
<i>Reproductive justice</i>	The right to be entitled to the social, political, and economic power and resources to make autonomous decisions including their gender, body, sexuality, and reproduction. (Morgan)
<i>Abortion rights</i>	It is one aspect of achieving reproductive justice. Specifically, abortion rights are the ability to choose to terminate a pregnancy. (Amnesty International)
<i>Decriminalization of abortion</i>	This is commonly brought up when discussing abortion rights. It is like its literal meaning: removing legal sanctions that are against abortion, so that abortion is longer viewed as a criminal act. (Sexual Rights Initiative)

### 1.3 The Controversy of Abortion

During the 20<sup>th</sup> century, the debate between pro- and anti-abortion groups began to sprung. With feminists arguing for the individual's choice and women's right to control their reproductive processes, and more conservative groups against for abortion is a sin (Kelley et al.). The debate between for and against abortion continues now, with it mainly lying between pro-life and pro-choice: the former believes that all lives should be prioritized, hence

abortion should be banned because a fetus should not be killed; the latter arguing for the ability to choose whether to get an abortion or not.

This controversy for abortion has led to many disputes and conflicts – from personal to political. Abortion is often accompanied with condemnments of the women as being a caretaker is generally considered as the societal norm; any practices to reject the role of childbearing would be stigmatized. Furthermore, women also face the discriminatory treatment for having an abortion, and difficulty for finding a reliable health facility. At times, women are punished and imprisoned for the practice (Guillaume et al.).

#### **1.4 Reasons for Abortion**

*Unintended pregnancy:* Unintended pregnancy, while it seems to be easily avoidable, it is a reality especially in developing countries where women are either ambivalent towards pregnancy, do not have access to family planning support, do not have access to or knowledge about contraceptives, or a failure in the contracepting method used. Notably, in many Sub-Saharan African countries, contraceptives may be provided but is largely against the societal conventions, and hence women refuse to use them.

*Birth-timing and family size control:* Having to control the number of children and how far they are apart in age is a common reason for wanting to opt for an abortion, especially common in developing countries where a bigger family size is the norm.

*Poverty and economic reasons:* The inability to raise the child due to the lack of income is an issue evident in both developed and developing countries.

*Fetal Defect:* This is fewer seen, especially as this may be less common in developing countries due to the lack of facilities for checking for defects. (Bankole et al.)

#### **1.5 History of the Issue**

At the end of nineteenth century, most countries were restricting abortion due to the imperial countries who impose great influences on the jurisdictions forbidding abortion among their colonies. Such as the United Kingdom's common law banning abortion in its former colonies in Australia, Bangladesh, Anglophone countries in Africa, and more; the civil law that is imposed onto Turkey and Japan, most of Latin America, non-Anglophone sub-Saharan Africa, and other countries by European colonist countries such as France and Spain; or the Islamic law enforced upon Bangladesh, Malaysia, and Indonesia by the Muslim populations in North Africa and Western Asia (Berer). Around this time, the abortion was prohibited for the purpose of ensuring the health of women considering the high death rates post-abortion, protecting the life of the fetus, and because it was considered as a sin.

The first to reform abortionist laws was the Soviet Union led by a feminist Alexandra Kollatani. Soon afterwards, worldwide, people have been fighting for abortion law reform,

especially as medicine has rapidly developed, and women’s socioeconomic status and access to education has greatly improved. Since 1960s, most of the Western Countries changed their opinions towards abortion - like Australia, USA, France, and Netherlands – have permitted the performance of abortions under specific circumstance, such as the child with chances of suffering from severe birth defect. However, abortion on broader legal grounds, such as abortions performed due to the inability to raise the child, was still considered to be illegal at the time (Berer).

One of the most well-known and majorly influential ruling is the Roe V. Wade 1 in 1973 that extends the possibility of receiving an abortion nation-wide through defining that fetuses can only be considered as living at 20 weeks and requiring medical opinion before receiving an abortion – which would ultimately stretch the definition of health threats for mothers and thus increase the chances of receiving an abortion (Gale).

With the continuous fluctuations in politics, population growth, and development, each country has its own growth and declines in the access to abortion.



### 1.6 Recent Developments

Different countries are at different stages depending on the levels of advocacy for abortion rights, and the country’s ideals and beliefs. Globally, countries can be categorized by the different legal grounds for abortion, where research has shown that the broader the legal grounds, the safer the abortion procedure tends to be:

<b>The Least safe</b>	<b>Ground 1</b>	Risk to life
	<b>Ground 2</b>	Rape or sexual abuse
	<b>Ground 3</b>	Serious fetal anomaly
	<b>Ground 4</b>	Risk to physical and sometimes mental health
<b>The safest</b>	<b>Ground 5</b>	Social and economic reasons
	<b>Ground 6</b>	On request

Over the previous 25 years, there has been an increase of access to abortion around the world. Notably, 50 countries have expanded the legal grounds where women can seek abortion. As of 2022, many countries, have permitted abortion upon request as seen from the

graph on the right (Churchill et al.). As of 2022, 60% of women of reproductive age have access to abortion in their countries (Treisman).

However, abortion is still completely banned in some countries: Congo, Djibouti, Egypt, Guinea-Bissau, the Democratic Republic of Congo, Senegal, Honduras, Nicaragua, Suriname, Haiti, the Dominican Republic, Philippines, Laos, Palau, Andorra, Malta, and the Vatican State. With some more countries that heavily restrict access to abortion (livemint).

Notably, the progress made towards providing reproductive rights has been impeded by the overturn of Roe V. Wade in June of 2022, as countries who wish to crack down on abortion can use United State as a supporting example of precedented cases of illegal abortion. As the chief legal officer of Human Rights First, Licha Nyiendo, said, “[the overturn of Roe V. Wade is] a frightening signal to authoritarians around the world that they can strip long-established rights from their countries’ people.” (Triesman)

### 1.7 Impact of anti-abortion policies

#### RESTRICTIONS AND SAFETY

Countries that place more barriers to a legal abortion tend to experience higher rates of illegal and unsafe procedures.

■ Safe ■ Less safe ■ Least safe

Abortion not allowed or allowed only to save a woman's life or for physical health



Abortion allowed on socio-economic grounds or for mental-health reasons



Abortion allowed on request



Share of abortions (%)

\* Safety categories as defined by the World Health Organization.

enature

Regardless of stance, anti-abortion policies have put further restraints and increased the risk for women at reproductive age. First, banning abortion does not stop abortions from being carried out. Instead, more women would seek alternatives that may be dangerous or done by untrained persons; analysis by Bearak and Bela Ganatra has further proven so, as seen from the graph beside. Following unsafe procedures, maternal deaths are likely to increase, with the estimated death rate increasing by 14% in the United States after the overturn of Roe V. Wade.

Additionally, banning abortion puts stress on families and women forced to raise the child. Women seek abortion because they lack the financial means to raise the child, the abortion puts another burden on mothers. In fact, women who are denied abortions hav 78% more debt overdue for more than 30 days and 81% more negative public records, compared to ones who have received an abortion.

Moreover, as shown by the analysis done by Ganatra, anti-abortion policies tend to have minimal effects on restricting the number of abortions performed, among high-, middle-, and low-income countries. Notably, in both high- and low-income countries, the abortion rate is in fact higher when abortion is restricted than when it is broadly legal.

This then reveals a focus of this conference: anti-abortion policies do not ameliorate the situation, instead, it puts people in more challenges and risks. Thus, the focus of the resolution to the issue should not be banning abortion but having a thorough system that provides abortion under terms that align with countries’ beliefs and ideals (Sidik).

## **2. Emphasis of the Discourse**

### **2.1 Stance of Intergovernmental Organizations**

There are several United Nations (UN) human rights bodies that are leading the advocacy for safe and legal abortion, such as the **Human Rights Committee**, the **Committee on the Elimination of Discrimination against Women**, the **Committee on Economic, Social and Political Rights**, the **Working Group on discrimination against women in law and practice**, and the **Special Rapporteurs focusing on fighting for women's rights and health** in Africa. These UN bodies have been successful in raising awareness and supporting abortion rights. Through its International Campaign for Women's Rights to Safe Abortion, the UN has provided recommendations on the local abortion policy in Ecuador, Ghana, and Burkina Faso (United Nations). These UN bodies generally intend to provide frameworks and aid for countries that are in need of support in the establishment of abortion rights.

There is also regional cooperation to support legal and safe abortion, like the **Inter-American Court of Human Rights**, the **European Court of Human Rights**, and the **African Commission on Human and Peoples' Rights**. These are inter-governmental organizations that work together to aim to provide abortion to the extent that they can tolerate, thus, the stance depends on the group of countries themselves. In January 2016, the **African Commission on Human and People's Rights** called for the decriminalization of abortion throughout Africa, which aligned with the Maputo Protocol, which was established by the African Union to guarantee the rights of women to take part in the equivalent power and equality for men. (Berer)

### **2.2 Stance of developed countries**

The abortion rate in developed countries is estimated to be 27 abortions per 1000 women each year, between 2010 to 2014. The abortion rate dramatically dropped in developed countries between 1990 to 1994. This rapid decline in the abortion rate is correlated with the increased use of contraception, examples of that are seen notably in Eastern Europe and Central Asia (Singh et al.).

Many of the developed countries, like New Zealand and Ireland, have made progress in freeing abortion, providing people with supported abortion up to, most of the time, 20 weeks. Of which leads to Canada, where there are no restrictions for abortion and can be conducted upon the mother's request at any time (Singh et al.).

### **2.3 Stance of developing countries**

The abortion rate in developed countries is estimated to be 36 abortions per 1000 women each year, between 2010 to 2014. 93% of countries with highly restrictive abortion laws are in developing regions, of which 42% of women of reproductive age live. As previously mentioned, the more restricted the abortion, the more likely it is dangerous. In countries where abortion is highly restricted, only 1% of such procedure is safe, while 33% in countries where most abortion is restricted. Furthermore, while this occurs in not only developing but also developed countries, it is common to experience persistent stigma surrounding the topic of abortion in developing countries, leading to women opting for secrecy over safety. 40% of women who had an abortion in developing countries suffer from

complications that require medical attention (Singh et al.). There are a multitude of reasons, but here are three prominent ones.

*Religion:* Religious norm is a main factor for most countries that illegalize abortion, especially in lower - and middle-income countries. This is seen among Muslim countries and countries in sub-Saharan Africa. However, it is worth noting that the interpretation of Islam still permits abortion with a found-month gestational limit; this may be referenced when drafting the resolution – how there can be a middle between rights and beliefs.

*Sex as a highly stigmatized subject:* In many developing countries. Sexual activity is rarely discussed, resulting in a lack of sexual education and hence the lack of understanding of contraceptives. This leads to a higher risk of unintended pregnancies and thus a higher demand for abortion. Sex as a taboo subject and the lack of sexual education act as two factors reinforcing each other.

*Abortion to control:* On top of abortion being politicized as a method to demonstrate a country's ideals and beliefs, countries also impose their anti-abortion ideals on other countries through their power. Specifically, lower- and middle-income countries are subjected to the influences of higher-income countries because of their influences and funds. For example, in 1984, President Ronald Reagan forced governments and service providers to choose between receiving funds from the United States or providing abortion services (Allotey, Pascale, et al.).

### **3. Possible Solutions**

#### **3.1 In Favor of Developed Countries**

- Largely depends on the current dispute within the country and the ideals of the country whether the solution involves maintaining status and development or further increasing the prevalence of abortion.
- Considering that many unwanted pregnancies still occur in developed countries, the major concern should be to tackle that by providing further.
- Ensure that women have access to safe abortion.
- Aid developing countries in their process of devising abortion policies, setting up healthcare facilities, and helping with training.
- Set up international guidelines for safe abortion
- Encourage all countries to come together and come to a middle ground to acceptable abortion standards and push the achievement of it through setting annual goals and monitoring the changes.

#### **3.2 In Favor of Developing Countries**

- Regardless of the country's belief, it is of utmost importance to ensure the safety of women who are eligible for abortion by not only having safe facilities they can have access to but also ensuring they provide support and guidance to overcome the potential stigma around abortion. This would reduce the number of clandestine abortions and unsafe procedures that may further harm women.

- While this topic focuses on abortion rights and using contraceptives does not entirely replace the need for abortions, considering that the rate of abortion dropped rapidly with the introduction and increased prevalence of contraceptives, this may be a suitable alternative to promoting women's rights and autonomy if the economy or country's ideal does not support the elaborate provision of healthcare and abortion facilities.
- One major focus for developing countries is to provide safe abortion if need be. Thus, one possible solution is to focus on setting up safe institutions and centers where women can receive. This can be done through forming or using existing regional intergovernmental organizations and sharing information on policies and previous actions that have been proven effective; as well as working with current UN human rights bodies to receive aid and suggestions from experts or countries with more liberal abortion laws.
- A common alternative for women who wish to have an abortion but is not permitted to get one is through force or medication that may have shown similar effects. This is extremely harmful to the mother and is not beneficial for the country's development. This is
- Gender roles and convention is emphasized in many countries and this further challenges mothers who wish to terminate their pregnancy. An easy and cost-effective method to support women in such cases is to set up and promote family planning institutions. This has been proven effective in the implementation of contraceptives and less unintended pregnancies.

#### **4. Keep in Mind the Following**

When researching, please keep in mind of the country's economic status, beliefs, ideals, and religious backgrounds. These all influence how a country approaches abortion law. You may consider the following to better understand your country and develop a rough plan for what actions can be taken to ameliorate the current situation.

- What is the background of your country? Start by considering the following: established policies, gender equality, human development index, access to healthcare, maternal mortality rate, and the number of support the country provides through services such as family planning to families and women.
- What actions have the country, organizations within the country, and activists done as of now? How has it changed domestic policies?
- This topic has predominantly two areas that you must first find the answer to: what is the definition of abortion rights, and how may you monitor and improve to establish your definition of abortion rights?
- What is the appropriate definition of abortion rights? How can countries of different beliefs and ideals come together with a unified system that may be monitored through the Human Rights Council? What is one way to get countries with opposing beliefs to align with your proposed solution?
- The number of convoluted laws and policies – to what extent do they control the current situation for abortion rights? In what way is it possible for this conference to improve upon the current legal system to provide better support for mothers' autonomy and reproductive rights?

- On top of considering the interests of the country in terms of development, it is also important to consider the country's political ideals or religion. How do the country's ideals or religion view abortion, and how may your action change depending on that?

## **5. Evaluation**

Abortion rights is a topic that involves international and regional cooperation and considers the nation's beliefs and economy. Nonetheless, one common goal for all delegates should be to provide safe abortion for women who are eligible, by domestic standards. On top of that, the next step should be unifying to develop a definition and guideline for acceptable abortion standards.

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