

United Nations Committee On Economic, Social and Cultural Rights

NGO Oral Statement Monday, June 8th 2015

(Statement to be delivered by Ms Maeve Taylor, Senior Policy and Advocacy Officer, Irish Family Planning Association, on behalf of the organisations listed below.)

I will address the Committee on Ireland's abortion laws in the context of Articles 2, 3 and 12 of the Covenant, and paragraph 23 of the list of issues.

Under the Protection of Life During Pregnancy Act 2013 abortion is permitted only where there is a risk to a pregnant woman's life.

Depending on the circumstances, it may require up to three doctors to certify that an abortion can proceed. A review procedure can take up to 10 days and require assessment of the woman by up to three additional doctors.

These procedures introduce significant barriers to accessing a lawful abortion. And they discriminate against women in cases where the risk to life is a risk of suicide.

Neither the Act—nor the guidance issued to doctors on its implementation—bring Ireland into compliance with the Covenant. The guidance document makes no reference to the women's right to health or to or to bodily integrity or autonomy in medical decision-making. Pregnant women can be denied care.

The Constitution gives a foetus an equal right to life with a pregnant woman. Abortion remains criminalised. The threat of 14 years imprisonment hangs over pregnant women whose health is at risk, where there is a foetal anomaly, where pregnancy is the result of a crime, or in any other circumstances.

Women in Ireland are discriminated against in their enjoyment of the right to health. The right to life of the unborn foetus takes precedence over the right to health of a pregnant woman. In cases of conflict with the foetal right to life, doctors are prevented from making clinical decisions in the interests of a woman's health.

Opinion polls consistently show strong support for decriminalisation and for broadening the grounds for lawful abortion. Five referendums have been held on abortion in Ireland, but the Irish people have never been offered the opportunity to broaden the grounds for legal abortion. But they have rejected attempts to further restrict the law.

The State justifies its restrictive laws by permitting travel to and information about abortion in other jurisdictions. It discriminates against women, who must carry the entire financial, practical and emotional burden of accessing services they need abroad.

These burdens falls most heavily on minors, women on low incomes, and women who cannot travel freely to another state. These women disproportionately experience delays in accessing services. This is an abdication of State responsibility under the Covenant to treat women with dignity by providing necessary health care.

We ask you to urge the State to make the necessary changes to the law and the Constitution to bring Irish abortion law into compliance with the Covenant.

This statement is delivered on behalf of the following civil society organisations:

Abortion Rights Campaign

Amnesty International

Association for Improvements in Maternity Services (AIMS) Ireland

Centre for Reproductive Rights

Doctors for Choice

Irish Council for Civil Liberties

Irish Family Planning Association

Justice for Magdalenes

Lawyers for Choice

National Women's Council of Ireland

Coalition to Repeal the Eighth Amendment

Termination for Medical Reasons Campaign.