

Safe abortion: Technical & policy guidance for health systems

Legal and policy considerations

Laws and policies on abortion should protect women's health and their human rights

Key messages

- ▶ Laws and policies on abortion should protect women's health and their human rights.
- ▶ Regulatory, policy and programmatic barriers that hinder access to and timely provision of safe abortion care should be removed.
- ▶ An enabling regulatory and policy environment is needed to ensure that every woman who is legally eligible has ready access to safe abortion care.
- ▶ Policies should be geared to respecting, protecting and fulfilling the human rights of women; to achieving positive health outcomes for women; to providing good-quality contraceptive information and services; and to meeting the particular needs of poor women, adolescents, rape survivors and women living with HIV.

I. Introduction

Over the past two decades, the health evidence, technologies and human rights rationale for providing safe, comprehensive abortion care have evolved greatly. However, despite these advances, based on 2008 data, WHO estimates that there are approximately 22 million unsafe abortions annually, resulting in 47 000 deaths and 5 million complications resulting in hospital admission (1,2). Nearly all unsafe abortions (98%) occurred in low- and middle-income countries. One of the factors driving unsafe abortion is the lack of safe abortion services, even where they are legal.

Restriction in access to safe abortion services results in both unsafe abortions and unwanted births. Almost all deaths and morbidity from unsafe abortion occur in countries where abortion is severely restricted in law and/or in practice. In countries where induced abortion is legally restricted and/or otherwise unavailable, safe abortion has frequently become the privilege of the rich, while poor women have

little choice but to resort to unsafe providers. This results in a large number of unnecessary deaths and morbidities, resulting in a social and financial burden for public health systems.

Where there are few restrictions on access to safe abortion, deaths and illness are dramatically reduced (3). To realize women's human rights, and to save their lives and health, programmatic, legal and policy aspects of the provision of safe abortion need to be adequately addressed.

This evidence brief highlights the inextricable link between women's health and human rights and the need for laws and policies that promote and protect both. It provides information on how laws, regulations and policies should be geared to respect, protect and fulfil the human rights of women, to achieving positive health outcomes for women, and to meeting the needs of women in particularly vulnerable situations, including poor women, adolescents, rape survivors, refugees, women living with disabilities, and women living with HIV.