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On this International Day of Action for Women's Health, Center Calls on Brazil to Defeat Unprecedented Fetal Rights Bill

New York—As the world commemorates International Day of Action for Women's Health today, the Center for Reproductive Rights, a global human rights organization, called on the Congress to defeat a draft bill that grants absolute protection for the "unborn." The proposed measure imposes a duty on the family, society and the state to guarantee, with "absolute priority," rights to life, health, development, honor, dignity, respect, liberty, and family to the "unborn." The draft bill is intended to criminalize any act that intentionally causes death or harms the fetus, and any statement that "promotes" abortion, as well as the freezing, manipulation or use of the "unborn" as material for experimentation. The legislation was approved in the Health and Social Security Commission of the Congress last week. If enacted, the law would be the first of its kind in Latin America. Luisa Cabal, director of the International Legal Program at the Center for Reproductive Rights issued this response:

"We strongly urge Brazilian lawmakers to vote against this draft legislation as it makes its way through Congress. It is alarming that such a measure has even come under consideration, given that it clearly violates Brazil's international human rights obligations, contradicts Brazilian national law and as a practical matter, reaches so far that it transforms every pregnant woman into a potential criminal.

"As a party to various human rights treaties, the Brazilian government is obligated to protect a woman's human rights, including her rights to life, health—including reproductive health—equality and non-discrimination, privacy, autonomy, physical integrity, and to be free from cruel, inhuman and degrading treatment. The draft bill proposed by the Commission directly contravenes these rights by completely disregarding that the lives and health of a pregnant woman and her fetus are closely intertwined.

"The disastrous impact of such legislation that totally disregards women's health and lives cannot be understated. If enacted, victims of sexual violence, women whose lives are at risk, and women who have been diagnosed with severe fetal abnormalities would cruelly be forced to carry their pregnancies to term. This—despite the fact that all of these circumstances are current legal grounds for abortion in Brazil. What's more, international bodies that monitor country's compliance with their human rights obligations have recognized women's right to access to abortion when the pregnancy is a result of rape or incest, and in instances of fetal abnormality or a woman's life or health is at risk.

"If enacted, the law would reach far beyond abortion, criminalizing *any* person who takes *any* action to harm a fertilized egg—including in the areas of in vitro fertilization, prenatal care, stem cell research, and even speaking about abortion. In short, potential criminals would range from the woman who has a miscarriage to the person who dares utter a word about comprehensive reproductive healthcare.

"Brazil is regarded as a leader in social and economic policies across Latin America. Passing this bill, the first of its kind, could have grave consequences in the region. Given the gross violations of both domestic and international law presented by the draft bill, and the certain harm it will inflict on women and their families, it is absolutely critical that members of Congress swiftly defeat this legislation."

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The Center for Reproductive Rights is a global legal organization dedicated to advancing women's reproductive health, self-determination and dignity as basic human rights.

FOR MORE INFORMATION:

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