

Research Report

Committee: Human Rights Council

*Topic: "The Question of the Right to Bodily
Autonomy and Access to Abortion in
Countries with Restrictive Laws"*

Introduction

The right to bodily autonomy, the ability to make decisions over one's own body without external influence, is a fundamental human right. Access to safe and legal abortion services is a critical aspect of this autonomy, enabling individuals to make informed choices about their reproductive health. However, in many countries with restrictive abortion laws, this right is compromised, leading to significant health risks, violations of human rights, and social inequalities.

General Information

Bodily Autonomy and Human Rights: International human rights frameworks recognize the right to bodily autonomy as essential to the realization of other rights, including the rights to health, privacy, and equality. Denying access to abortion services infringes upon these rights and can lead to severe physical and psychological harm. The United Nations Human Rights Committee has affirmed that access to abortion is a human right and that preventable maternal deaths due to unsafe abortions are violations of the right to life.

Impact of Restrictive Abortion Laws: Countries with restrictive abortion laws often witness higher rates of unsafe abortions, leading to increased maternal mortality and morbidity. The World Health Organization (WHO) reports that restrictive laws do not decrease the incidence of abortions but rather increase the likelihood of unsafe procedures. Additionally, such laws disproportionately affect marginalized groups, exacerbating existing social and economic inequalities.

Global: While some countries have moved towards liberalizing abortion laws, others have implemented more restrictive measures. For instance, the United States Supreme Court's decision in 2022 to overturn *Roe v. Wade* eliminated the federal constitutional right to abortion, leading to a patchwork of state laws and reduced access in many regions. This regression contrasts with the global trend towards recognizing reproductive rights as fundamental human rights.

Key countries and organisations

Poland: Poland enforces some of the most restrictive abortion laws in Europe, permitting the procedure only in cases of rape, incest, or when the mother's life is at risk. In 2020, a Constitutional Tribunal ruling further tightened these laws by eliminating fetal defects as a valid reason for abortion, sparking widespread protests and international criticism.

Bangladesh: Abortion in Bangladesh is permitted only under specific circumstances, such as to save a woman's life or to preserve her physical or mental health. This restrictive framework often leads women to seek unsafe abortions, resulting to significant health risks. The limited access to safe abortion services, combined with social discrimination, exacerbates the challenges women face in showcasing their reproductive rights.

United Nations Human Rights Committee (UNHRC): The UNHRC monitors the implementation of the International Covenant on Civil and Political Rights (ICCPR) and has consistently called on states to ensure access to safe and legal abortion services, emphasizing that restrictive laws violate women's rights to life, health, and freedom from cruel, inhuman, or degrading treatment.

World Health Organization (WHO): The WHO provides guidance on safe abortion practices and advocates for the decriminalization of abortion, asserting that access to safe abortion is essential for protecting women's health and human rights.

Explanation of key terms

Bodily Autonomy: The right of individuals to make decisions over their own bodies without external pressure or interference.

Abortion: The medical termination of a pregnancy.

Restrictive Laws: Legislation that limits or prohibits access to abortion services, often imposing criminal penalties on those who undergo or perform abortions.

Unsafe Abortion: A procedure for terminating a pregnancy carried out by individuals lacking the necessary skills or in environments that do not meet minimal medical standards, often resulting in health complications or death.

Maternal Mortality: The death of a woman during pregnancy, childbirth, or within the postpartum period, often used as an indicator of the quality of a healthcare system.

Sources

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