Access to safe and legal abortion is a HUMAN RIGHT and a MORAL GOOD. Individuals’ right to safe, legal, and accessible abortion services is predicated on numerous human rights recognized and protected under international law, among them:

- The right to life[1]
- The right to health, including sexual and reproductive health[2]
- The right to be free from discrimination[3]
- The rights to bodily integrity, autonomy in reproductive decision-making, and privacy[4]
- The right to be free from cruel, inhuman, or degrading treatment[5]
- And the right to enjoy the benefits of scientific progress, entitling individuals’ access to “the full range of technologies for the safest abortion care.” [6]

These rights are recognized in various international human rights treaties, such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women; as well as regional treaties such as the American Convention on Human Rights, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol), and the European Convention on Human Rights.

These rights in relation to the decriminalization of abortion and safe and accessible abortion care services have been consistently affirmed by numbers of international and regional human rights bodies, including the Human Rights Committee, the CEDAW Committee, and the Committee Against Torture.[7]
**MYTH: "Abortion is Immoral."**

Yet, despite the right to safe and legal abortion clearly being grounded in international human rights standards, one of the most common claims anti-choice proponents have used in attempts to curtail or abolish safe abortion services, is that abortion is “immoral.” In doing so, they often call for the recognition of the “rights of the unborn,” including recognition of a right to life before birth, as well as prenatal legal personhood.

However, as established by both international and regional human rights bodies as well as national courts worldwide, while States can and should take steps to afford protections to prenatal life, any prenatal protections must be consistent with women’s human rights.\[8\]

International human rights law, and standards set by international and regional human rights bodies, affirm that the right to life does not exist unconditionally before birth – this right accrues at birth. As such, international human rights standards hold that any protections accorded to prenatal life are necessarily limited by the human rights of pregnant individuals.\[9\] Rulings from national courts worldwide, among them South Africa, Nepal, Slovakia, Colombia, and the United States, have all supported this reasoning: \[10\] courts have acknowledged that recognition of a prenatal right to life could create an impermissible conflict between the rights of the pregnant individual and that of the prenatal life, where such recognition, as explained by the Colombian Constitutional Court, runs the risk of treating a woman “as a mere instrument for reproduction.”\[11\]

Furthermore, human rights bodies have rightly held that any prenatal protections must not perpetuate discrimination against women, where the CEDAW Committee has noted that the suggestion “that protection of the fetus should prevail over the health of the mother” is grounded in stereotyped roles for women, violating women’s rights to live free from all forms of discrimination, including gender stereotypes.\[12\]

Pregnant individuals who do not wish to have an abortion because of personal beliefs or other reasons should unquestionably not be forced to have one – forced or coerced abortions are a violation of individuals’ human rights to bodily integrity and autonomy in reproductive decision-making, among other rights, and have no place in rights-based sexual and reproductive health services.

However, attempts by anti-abortion activists to broadly characterize abortion as immoral in and of itself, and deserving of widespread criminalization, effectively do not recognize women or other individuals who can get pregnant as full human rights holders – they essentially prioritize prenatal life over the rights and wellbeing of women and others who can get pregnant, a position that has no grounding in international human rights law. Rather, international human rights standards provide justification for:
MYTH: "Abortion is immoral"

- prioritizing women’s rights over affording protections to prenatal life;
- ensuring access to safe and legal abortion in order to respect, protect, and fulfill both women’s and other pregnant individuals’ human rights; and
- valuing access to safe and legal abortion as a moral good.

This September 28, join us and #BusttheMyths surrounding abortion, speaking out about safe abortion experiences, and demanding the right to access safe and legal abortion services!

September 28 has been a regional campaign for the decriminalization of abortion in Latin America and the Caribbean for over twenty years before being taken on by SRHR activists all over the world in 2011. WGNRR undertakes September 28 annual campaign activities in collaboration with its members, partners, and allies around the world, and as a member of the International Campaign for Women’s Right to Safe Abortion.

[1] Human rights bodies, such as the Human Rights Committee, have called on States to undertake measures to "help women prevent unwanted pregnancies, and to ensure that they do not have to undergo life-threatening clandestine abortions." See Human Rights Committee (2000), General Comment No. 28: Equality of rights between men and women (art. 3), U.N. Doc. CCPR/C/21/Rev.1/Add.10 (2000), para. 10. See also Center for Reproductive Rights (2011), Safe and Legal Abortion is a Woman’s Human Right.

[2] In 2000, the Committee on Economic, Social and Cultural Rights recognized that the right to health includes “the right to control one’s health and body, including sexual and reproductive freedom, and the right to be free from interference,” as well as “requires the removal of all barriers interfering with access to health services, education and information, including in the area of sexual and reproductive health.” See Committee on Economic, Social and Cultural Rights (2000), General Comment No. 14: The right to the highest attainable standard of health, U.N. Doc. E/C.12/2000/4 (2000), para. 8 and para. 21.

[3] As recently asserted by the CEDAW Committee, the “failure of a State to provide services and the criminalization of some services that only women require is a violation of women’s reproductive rights and constitutes discrimination against them.” Committee on the Elimination of Discrimination Against Women (CEDAW) (2014), Statement of the Committee on the Elimination of Discrimination Against Women on sexual and reproductive health and rights: beyond 2014 ICPD review.


[5] Forcing women to carry unwanted pregnancies, even in cases where it is the result of rape, or is a threat to their health and life, constitutes cruel and inhuman treatment, as noted by international human rights bodies, such as the Committee against Torture. See CAT Committee (2006), Conclusions and recommendations of the Committee against Torture: Peru, U.N. Doc. CAT/C/PER/CO/4 (2006), para. 23.


[7] Center for Reproductive Rights (2011), Safe and Legal Abortion is a Woman’s Human Right.


[9] See Center for Reproductive Rights (2014), Whose Right to Life? Women’s Rights and Prenatal Protections under Human Rights and Comparative Law, which provides an overview of relevant Articles in human rights documents such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the Convention of the Rights of the Child (CRC), the American Declaration on the Rights and Duties of Man, the European Convention on Human Rights, and the African Charter on Human and Peoples’ Rights; where the drafters either specifically rejected language which implied that the right to life begins at conception, and/or treaty monitoring bodies have affirmed that these documents cannot be interpreted or used in support of an absolute right to life before birth. Even in regards to the American Convention on Human Rights, of which Article 4 states: “Every person has the right to have his life respected. This right shall be protected by law and, in general, from the moment of conception,” the Convention’s interpreting and monitoring bodies have affirmed that this protection is not absolute.

