



SI JE VEUX !

SI JE VEUX – SELF-DETERMINATION FOR WOMEN

The present situation:

Voluntary termination of pregnancy – a few facts

Luxembourg has had a law on the voluntary termination of pregnancy since 1978. But the taboos surrounding sexuality mean that there is little or no awareness of this law and the general public has little information about women's rights relating to abortion in the Grand Duchy.

“Si je veux – Self-determination for women” is a group which believes that it is for women to decide whether to proceed with a pregnancy or end it. These are the facts:

Preventing unwanted pregnancies

The law of 1978 calls for wide-ranging sex education at all levels of the national education system, and appropriate training for the teachers.

The reality: sex education and the training to provide it are a matter for the teaching staff. There is no compulsory specific training for sex education in the training of teachers and teaching assistants. Nor is there any compulsory in-service training.

The Government establishes or subsidises regional centres offering information and consultation on family matters.

The reality: The institution best suited to meeting the public's information needs on sexual and reproductive questions is the “Planning Familial”. But its resources are inadequate, and purely symbolic as far as sex and relations education is concerned – one half-time post financed under the mission given by the law of 1978. Contraception is not reimbursed in any form.

Abortion and the Law

Abortion is not a crime if:

- It is practised within the first twelve weeks of pregnancy (time-limit) with one of the following requirements fulfilled:
 - Continuing the pregnancy would represent a danger to the physical or mental health of the mother or the unborn child
 - The pregnancy is the consequence of rape

- And provided a number of other “conditions” are met:
 - The woman has consulted a gynaecologist
 - She has resided in the Grand Duchy for at least three months (residence clause)
 - She is aged 18 or over, or authorised by her parents or legal representatives.

In all other cases, Abortion is a criminal offence:

- for the woman (punishable by fine) unless she is acting as a result of particular distress
- for the doctor and any other person involved in procuring an abortion or attempting to do so outside the permitted circumstances (see above) even when the woman has given her consent (fine or up to life imprisonment)

No doctor or medical auxiliary may be required to practise or be present at an abortion (conscience clause)

The reality: The law is not properly applied, creating situations which are inequitable and threaten women's health:

- Large-scale conscientious objection and hypocrisy make access to an abortion difficult or impossible for certain women, even in the circumstances provided for by the law.
- Results:
 - Women go or are sent to countries where there is no residence requirement (abortion tourism)
 - Women who are socially or financially at ease and have an understanding gynaecologist are treated in Luxembourg, where the operation is recorded as “curettage” (i.e. clandestine abortion). There has been talk of cash payments.
 - Women use the internet to obtain active substances; sometimes these are fraudulent and dangerous to the health of the mother and unborn child if the pregnancy is nevertheless continued (i.e. clandestine abortion)
- The law is one of the strictest in the European Union. Portugal and Spain, although catholic countries, have both voted pro-choice laws, Portugal in 2007 and Spain even more recently.
- As far as we know, there is no specific training available for physicians and medical personnel in dealing with women in these circumstances.
- Women who opt for an abortion frequently have to face humiliating, degrading and culpabilising treatment.
- An abortion is reimbursed by social security only if it is performed in Luxembourg.

Since 2009, abortion has been legally available with Planning Familial. An unwanted pregnancy can happen to women of all ages, regardless of their social, economic and family situation. Worldwide, more than one pregnancy in three is unplanned, including in the developed countries (source: WHO, 2008). No contraceptive is 100% safe. But there are no reliable statistics ... and no reimbursement of contraception either.

Poland, since it adopted highly restrictive rules, has developed a black market in abortion. The cost of that can be measured in the health of the women concerned.

The Netherlands, in contrast, has a liberal law on abortion, and makes great efforts in preventive work. Result: one of the world's lowest abortion rates, while still offering women a choice within longer time limits than elsewhere.

About the proposed reform:

A draft law has been tabled to change the law on abortion. As a result, various public figures and organisations in Luxembourg have launched the following petition.

Si je veux – Self-determination for women.

The government has announced a reform of the 1978 law on sexual information, the prevention of clandestine abortion and the termination of pregnancy.

Let's go one step further: It's time to give women the choice!

With the aim of

- decriminalising the voluntary termination of pregnancy for the woman
- respecting women's right to self-determination,

We oppose, in Draft Law 6103 amending Article 353 of the Criminal Code:

- the continued criminal treatment of the voluntary termination of pregnancy;
- the continued application of indications limiting access to voluntary termination (physical, psychological or social distress);
- the introduction of a second compulsory consultation in an approved centre;
- the continued application of a three-month residence clause.

We demand that in cases of unwanted pregnancy, any woman not wishing to proceed with the pregnancy may, without discrimination:

- have legally-guaranteed access to abortion within a stated time limit;
- have access to a worthwhile prior consultation if she so desires;
- have the benefit of psychological and medical care and post-termination health-checks;
- benefit from reimbursement of the medical costs by the National Health.

Si je veux — collective for self-determination for women

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