

31 May 2013

Honorable Members of the Parliament,

Honorable President of The Government of Republic of Macedonia, Mr. Nikola Gruevski

We the undersigned organizations respectfully submit this letter to express our concern about the proposed Macedonian law on termination of pregnancy.

Firstly, we are alarmed about the decision of the Parliament to discuss the adoption of the Draft Law in urgent procedure without taking efforts to involve all interested parties, including civil society and women organizations, in a transparent and comprehensive consultative process. Bearing in mind that such law infringes on fundamental rights and freedoms of the women and is a complex and extensive law, which we believe should not be adopted in a short procedure.

Secondly, The Draft Law imposes barriers on women's access to legal abortion services. As such, it conflicts with women's rights to life, privacy, physical integrity and autonomy, confidentiality, health, and non-discrimination, as protected by the Macedonian Constitution and reflected in Macedonia's international and regional human rights obligations.

In particular, the Draft Law put harmful practices to women free choice to terminate a pregnancy up to 10 weeks by introducing restrictive mechanisms such as ***submission of a written request, requesting written consent by the women, biased mandatory counseling, 3 day "waiting" period after the counseling being performed and mandatory notification of a spouse***. All these requirements undermine the free will of women to choose for an abortion as stipulated in the Article 2 of the Draft Law. They do not improve the health and life of women seeking for abortion nor are they in accordance with the international medical standards and international human rights obligations¹. In contrary imposing these barriers on women's access to legal abortion services infringes upon women's decision-making, perpetuates gender stereotypes about women's ability to make reasonable decisions about reproduction, and thus, discriminate against women. Further on, the proposed requirements reinforces the notion that women are unable to make rational and thoughtful reproductive choices, unnecessarily delays abortion, and may drive some women, especially adolescents, to undergo illegal abortions. The proposed changes infringe on the following international human rights "*the right to non-discrimination*" "*the right to be free from cruel, inhuman and degrading treatment*" and "*the right to privacy, confidentiality, information and education*".

Therefore, we the undersigned organizations, strongly urge you to withdraw the draft law and ensure there is an extensive debate and consultation process with all key stakeholders, including civil society and

¹ International treaties, conventions, agreements and strategies indirectly acknowledge the right to safe and legal abortion. This right resides under other rights such as the right to health, the right to decide on the number and spacing of children, and the right to life. Examples of these agreements, treaties and conventions are the *UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* (relevant provisions: articles 12 and 16 <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm> ; *UN Covenant on Civil and Political Rights* (relevant provisions: article 6 and 9) http://www.unhcr.ch/html/menu3/b/a_ccpr.htm

women's organizations, to guarantee the new law respects women's rights and includes protection for informed and non-coercive decision-making, in compliance with regional and international human rights declarations and medical standards.

We thank you for your consideration of this letter and express our hope that the Republic of Macedonia will continue to ensure that its laws and policies on abortion highly value women's rights to health and life and respect women's dignity and privacy in an environment that is free of stigma and discrimination.

Respectfully yours,

Organizations: