

Unsafe abortions common in Colombia despite law change

Despite Colombia's high court move to liberalise abortion laws in 2006, many women are still putting their lives at risk by having backstreet terminations. Anastasia Moloney investigates.

Nearly 3 years after Colombia's high court partially depenalised abortion, government figures show that few women have had legal terminations. A lack of awareness about changes to abortion legislation, widespread refusal among doctors to do the procedure, coupled with conservative social attitudes are the main obstacles preventing women from receiving legal abortions, local campaigners say.

In a landmark decision in May, 2006, Colombia's high court eased the country's ban on abortion, ruling that it was allowed in cases of rape or incest, fetal malformation, or when the life or health of a woman or fetus is in danger. But despite the ruling, its effect has been "limited" says Monica Roa, the Colombian lawyer who filed a lawsuit against the high court to liberalise the country's abortion laws. "We have an excellent legal framework now in place but many women who have the right to an abortion are still being denied one", says Roa, the director of Women's Link Worldwide, an organisation that campaigns for gender equality.

Measuring the real effect of the depenalised abortion laws is difficult since official statistics are scarce and incomplete. Since the implementation

of the new abortion laws, health authorities in Bogota report that 313 abortions have been done in the capital, with around half on the grounds of fetal malformation. Across the country, less than 3000 legal abortions have been done, while between 320 000 and 450 000 backstreet abortions take place every year. "Obviously the figures

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don't add up", says Roa. "With such a high number of illegal abortions, you'd expect the number of legal abortions to be far higher."

The new abortion laws are not being interpreted within a wide context, pro-choice campaigners argue. Following WHO guidelines, Colombian law states that dangers to a woman's health include both her physical and mental wellbeing. The criteria by which doctors determine whether or not a woman is entitled to an abortion should also include socioeconomic factors, such as domestic violence, malnutrition, living in conflict zones, and displacement. "We're working towards widening the application of the law and debunking the myth that abortion is allowed just when a woman is about to die", says Roa. She believes that if doctors take into account socioeconomic factors, many more women will be able to access their abortion rights.

The refusal of doctors to do abortions, often citing conscientious objection, is another main reason for the low number of legal abortions in Colombia. Although doctors have the right to refuse on such grounds, they are legally obliged to refer a woman to a colleague who they can guarantee will do an abortion. But this does not seem to be a widespread practice. A 2007 survey

done by a gynaecologist working at the private Santa Fe de Bogotá Foundation hospital, revealed that while 85% of gynaecologists favoured the new abortion laws, only a third interviewed were prepared to do a legal abortion under any circumstances and only 38% of those said they would be willing to recommend a colleague who does practise abortion. "Health authorities are on board, the ones who are not on board are some doctors and judges", says Roa.

Social and cultural attitudes are also preventing women from accessing their abortion rights. In conservative Catholic Colombia, the Church is a vocal and influential opponent of abortion. In 2006, Church officials threatened to excommunicate the medical team who did the first legal abortion on an 11-year-old girl who had been raped by her stepfather. "The risk of being excommunicated matters to some doctors", says Sandra Mazo, Colombia director of the Latin American pro-choice organisation, Catholics for the Right to Decide. Women who opt for an abortion are often stigmatised. "Abortion is a question of Catholic morality and is not seen as a gender-rights issue", says Mazo.

The limited effect of the abortion laws also stems from a lack of awareness about changes to legislation. According to Mazo, most people have a "very vague idea" about abortion laws and raising awareness among women remains an urgent priority. Furthermore, a report published by Colombia's attorney general's office last year stated, "it is clear that time and time again not only health-care providers but doctors, nurses and judicial officials are ignorant about the ruling and its regulations".

Anastasia Moloney

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AP Colombia eased its abortion ban in May, 2006, despite vehement public protest