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LADB Staff

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Abortion Law Fails in Uruguay
by LADB Staff
Category/Department: Uruguay
Published: 2004-05-21

Uruguay came within four senatorial votes of legalizing abortion, thus failing to become the only Latin American country besides Cuba to decriminalize the medical procedure. The debate around the bill created controversy, dividing legislative houses, bringing protestors on both sides of the issue to the front of the Senate building, and inspiring statements of bitter opposition from as far away as the US Congress.

Popular law would have been region's first The bill would have made abortion legal for women in the first trimester of pregnancy and also promoted maternal health care. It narrowly passed in the lower house of the legislature last December before the Senate rejected it by a vote of 13-17 shortly after midnight on the morning of May 5. President Jorge Batlle had indicated he would veto the bill if it had passed through the House and Senate.

Senators from the leftist coalition Encuentro Progresista-Frente Amplio (EP-FA) voted for the bill, with the exception of the former Tupamaro guerrilla, Sen. Eleuterio Fernandez Huidobro. This would have been the second time in Uruguayan history that abortion was legal. In 1934, Uruguayan legislators passed a law that decriminalized abortion, but it was overturned in 1938 as the influence of conservative blocs grew. In addition to medical organizations, reproductive-rights groups and parties from the left, the bill also had the support of public opinion.

A telephone survey on April 28-30 by the Equipos-Mori polling firm found the highest support ever for the legalization of abortion. In the survey, 63% of respondents said they would be in favor of a law that would provide for sex education and free access to birth control, and would permit abortion in the first three months of pregnancy.

In addition, 57% said the questions of sex education, access to contraceptives, and the legalization of abortion should be debated in the election campaign, and 61% said the political parties should clearly define their positions on these issues. Those numbers were similar to those found by a survey conducted in the last quarter of 2003 by Factum, another local polling firm.

Abortion remains illegal in nearly all countries of Latin America and the Caribbean. But every year, more than four million abortions are performed in the region, according to the UN Population Fund (UNFPA). Worldwide, an estimated 20 million clandestine abortions are performed annually, and some 78,000 women die as a result, says the UN agency.

Church opposition at the forefront

The Roman Catholic Church was at the head of the campaign against the bill, and it unleashed a verbal barrage. "No legislator who calls himself Christian can vote for this law," Archbishop of
Montevideo Nicolas Cotugno said in mid-April. "What difference is there between an 18-year-old youngster who flies through the air, shot out of a train in Madrid by a dynamite explosion, and a human being at just two months of gestation that is in the mother’s uterus when they insert forceps and smash its head and then pull it out in pieces and throw it in a garbage can?" asked Cotugno, alluding to the March 11 bomb attacks on commuter trains in Spain.

The top leaders of all three of Uruguay's main political parties are opposed to the decriminalization of abortion. Proponents say maternal deaths are increasing Uruguay has been discussing legislative solutions to the problem of unsafe, clandestine abortions for nearly 20 years. Medical reports given during debate of the bill said that thousands of clandestine abortions take place in the country annually.

"It is extremely serious that one of three maternal deaths between 1997 and 2001 were caused by complications arising from abortions practiced in risky conditions a cause that is not only preventable but also virtually nonexistent in countries where safe abortion services are available," the Sindicato Medico de Uruguay (SMU) said. "The environment of inequality that surrounds this issue is shameful, insulting, immoral, and unsustainable," added the SMU, the national doctors' union.

In the country of 3.4 million, an estimated 33,000 abortions are practiced every year, compared with 55,000 births a proportion of four abortions for every 10 pregnancies, according to the study Condemnation, Tolerance and Denial: Abortion in Uruguay by the Centro Internacional de Investigacion e Informacion para la Paz (CIIIP). Abortion has thus turned into a birth-control method, and it is illegal in name only, says the study. But the high cost of a safe abortion US$500 to US$600 in well-equipped clandestine clinics is out of the reach of poor women.

"Until this month, there were enough votes [to approve the law]. I won't even try to explain the legislators' sudden change of heart," said physician and Sen. Monica Xavier, a member of the EP-FA coalition, which sponsored the law.

**US legislators accused of meddling in vote**

Sen. Xavier has asked Foreign Relations Minister Didier Opertti to look into a letter that six members of the US Congress faxed to Uruguayan senators shortly before the vote. The letter, dated April 30, was an unusual "form of communication between lawmakers from different countries," which, by appearing "in the midst of the debate on the bill, amounted to a serious case of undue pressure," Sen. Xavier said.

"We encourage you in this historic time in your country...to (vote) against this pro-abortion bill and also to refuse to leave it up to a referendum," says the two-page letter faxed from the office of Rep. Christopher Smith (R-NJ). The letter was signed by Republican representatives Smith, Todd Akin (R-MO), Jo Ann Davis (R-VA), Mike Pence (R-IN), Steve King (R-IA) and Joseph Pitts (R-PA). The bill "on which the Senate is about to vote would legalize the violent murder of unborn children and the exploitation of women through abortion up to the 12th week of pregnancy," the letter added.
Xavier sent a copy of the letter to Opertti and said she awaited his response as to whether "some type of diplomatic action is appropriate." While Rep. Smith told the press he hoped his contribution had helped in the bill's defeat, his faxed letter drew an outcry from women's groups in the US.

Four US nongovernmental organizations sent the Uruguayan Senate their own message the day of the vote, repudiating what they called "flagrant meddling" in Uruguay's sovereignty and democratic process and in the legislative and citizen debate on the bill. "The lawmakers who have meddled in the internal affairs of your country represent 1.4% of the members of the US Congress," added the International Women's Health Coalition, Catholics for a Free Choice, Planned Parenthood Federation of America, and IPAS, an international organization that has been working for three decades to reduce abortion-related deaths and injuries around the world.

The president of IPAS, Elizabeth Maguire, said the letter sent to all of Uruguay's senators was part of "a continuing assault on the reproductive rights of women at home and abroad," this time by "six extreme anti-choice members of the United States Congress." "The lobbying efforts of these anti-choice members of Congress interfere with the democratic process in Uruguay by promoting false, ideologically-based propaganda about abortion," said Maguire. "Our experience in the United States and around the world clearly shows that safe, legal abortion saves women's lives, not destroys them." [ -- End --