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**KEY PRINCIPLES AND ACTIONS TO
SAFEGUARD ABORTION CARE PROVIDERS
AS HUMAN RIGHTS DEFENDERS**

These principles and recommendations for action are grounded on research and consultation conducted with abortion rights defenders and experts between 2023 and 2024.

The principles are built on the basis of States' obligations under international human rights law and should be used in advocacy to ensure States uphold and implement them.

KEY PRINCIPLES AND ACTIONS TO SAFEGUARD ABORTION CARE PROVIDERS AS HUMAN RIGHTS DEFENDERS

ABORTION RIGHTS DEFENDERS ARE HUMAN RIGHTS DEFENDERS

Human rights defenders (HRDs) are all those who, individually or in association with others, act to defend human rights. They all have a right to be protected, supported and enabled to go about their legitimate activities defending human rights, as recognized in the UN Declaration on Human Rights Defenders.¹ The Declaration has guided national, regional, and international efforts to support and safeguard defenders over the past decades.

Regrettably, major gaps remain. States are still failing to meet their obligations to recognize and protect individuals and groups whose role is to help realise human rights, leaving them at continued risk and their legitimate human rights work often contested. This is for example the case of women human rights defenders (WHRDs)² and amongst them, those who defend abortion rights.

Abortion rights are recognized and established in international human rights law and standards.³ Still, the vast majority of states fail to fully implement those norms with many actively restricting access. Consequently, States often do not deem defenders of abortion rights “deserving” of support and protection and, in some cases, actively persecute them. Mounting evidence shows that abortion rights defenders are facing attacks and intimidation on a scale that is widespread, systematic and global.⁴

Healthcare workers and other frontline individuals and groups who directly provide and enable access to abortion information, services and goods, such as midwives, doctors, nurses, activists, doulas and companions of self-managed abortions are the most impacted. Those working in healthcare settings are exposed to hostility by colleagues, employers, patients and others who oppose abortion rights. Those active in the community are equally at risk of being attacked, their activities restricted. Many are exposed to physical and/or verbal attacks, threats, smears and intimidation. Some are criminalized through unjust prosecutions, investigations and arrests. They often face stigmatization, isolation and ostracization, and restrictions on their rights to freedom of expression, association and assembly. Risks and vulnerabilities can be exacerbated by intersectional factors such as gender, race, socioeconomic status, and shape the nature of the threats they face. These attacks happen wherever abortion is stigmatised, restricted and/or criminalised.

While these human rights defenders remain under threat, the abortion rights of women, girls and everyone who can become pregnant are adversely impacted.

Decisive and comprehensive action from States is therefore essential. States should implement the following set of Key Principles for a human rights-respecting approach to protecting defenders and upholding abortion rights.

¹ UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (hereinafter the Declaration on HRDs), 1998. See also the Declaration on Human Rights Defenders +25, [ishr.ch/25-years-un-declaration-on-human-rights-defenders/](https://www.ishr.ch/25-years-un-declaration-on-human-rights-defenders/)

² WHRDs are women human rights defenders working on any human rights issue and human rights defenders of all genders working on rights related to women, gender and sexuality.

³ See a compilation of international law and standards in Amnesty International, *Policy on Abortion: Explanatory Note*, 2020, [amnesty.org/en/documents/POL30/2847/2020/en/](https://www.amnesty.org/en/documents/POL30/2847/2020/en/)

⁴ For example, Amnesty International, *An unstoppable movement*, November 2023, [amnesty.org/en/documents/pol40/7420/2023/en/](https://www.amnesty.org/en/documents/pol40/7420/2023/en/); V. Boydell et al, “The hostilities faced by those on the frontlines of sexual and reproductive health and rights: a scoping review”, *BMJ Global Health*, Volume 8, November 2023, gh.bmj.com/content/8/11/e012652

PRINCIPLE 1 - PREVENT HUMAN RIGHTS VIOLATIONS AGAINST DEFENDERS

All abortion rights defenders, including abortion care providers, have a right to carry out their work and activities free from physical and mental harm or fear of such harm, without discrimination. They are entitled to protection from threats, intimidation, harassment, and/or attacks on their reputation and motivations. Their right to their own private and family lives must also be protected.

KEY ACTIONS

- Develop, adopt and implement laws and policies that put in place comprehensive and appropriate measures to recognize and protect all human rights defenders, including abortion rights defenders. These should be developed and implemented in consultation with defenders themselves, be gender-responsive and should adequately address risks to, and uphold rights in, all aspects of defenders' professional and private lives.
- Ensure such laws and policies include measures that match the concerns expressed by abortion rights defenders, including health professionals and others facilitating and/or advocating for access to abortion goods, information and services. Such measures may include: the provision of safe access zones around clinics and/or civil society organizations' offices; creating (or adapting for this specific purpose) laws and policies to protect abortion rights defenders from online and offline stalking, bullying, harassment, and from malicious "reporting" on abortion rights defenders; creating secure and confidential channels for defenders to report threats or violations, ensuring prompt action and support.
- Ensure such measures are adopted by employers and workplaces by, for example, issuing at ministerial level guidelines on how to set up, implement and monitor them in the workplace, including confidential complaint and reporting mechanisms that are easy to access and have clear response protocols.
- Ensure that those health and social care staff who fail to maintain professional standards and ethics (for example, by insulting and stigmatizing abortion rights defenders, engaging in abusive or derogatory rhetoric in the workplace, refusing to provide impartial and accurate advice on abortion, and/or intentionally misleading patients about treatment and care options) are held accountable.
- Ensure the availability of psycho-social support, mentorship and access to safe spaces for abortion rights defenders to process stress and stigma, and to help prevent burn-out.
- Legally require social media platforms to conduct human rights due diligence on their business operations, products and services to ensure they respect the rights of all women human rights defenders, including abortion rights defenders, particularly when they are targeted with online harassment.⁵

PRINCIPLE 2 - ENABLE THE EXERCISE OF RIGHTS OF DEFENDERS

All abortion rights defenders, particularly those who provide frontline services, have a right to freely go about their work in a supportive environment, and to be enabled by a regulatory framework that protects abortion rights.

⁵ Online harassment can manifest in various different ways, including through use of hateful and abusive speech, targeted smear campaigns, doxing and making threats of violence.

KEY ACTIONS

- Ensure universal access to comprehensive sexual and reproductive health services, goods and information, and enact a regulatory framework aligned with the World Health Organization’s Abortion Care Guideline⁶ (2022) that includes: full decriminalization of abortion; access to abortion care in diverse settings and by a range of trained providers; access to self-managed abortion, information, and support (which may be facilitated also by NGOs or networks of activists); and availability of abortion goods, financial and human resources.
- Ensure relevant employers, clinics, workplaces comply with the WHO Abortion Guideline.
- Ensure relevant employers, clinics, workplaces provide in-service training and ongoing capacity building to healthcare and support staff on laws and policies related to abortion and the rights of people seeking abortions, as well as values clarification to all personnel involved, directly or indirectly, in abortion care.⁷
- Ensure comprehensive mandatory pre-service education and training on all aspects of sexual and reproductive health and rights, including abortion, in relevant healthcare fields and in clinical training.
- Properly regulate conscience-based refusals and ensure that members of professional bodies are aware of both the bounded scope of permitted conscience-based refusals, if any, and their professional obligations in that regard, including by ensuring that such refusals of care do not lead to barriers to and/or denial of abortion care.
- Ensure and plan for an adequate healthcare workforce trained in abortion and post-abortion care, who are available, skilled, and willing to provide such services, especially in settings where conscience-based refusals are common practice and abortion is highly stigmatized.

PRINCIPLE 3 - SAFEGUARD THE RIGHT TO DEFEND RIGHTS

All abortion defenders have a right to conduct all activities necessary for the defence of sexual and reproductive rights including abortion, and to advocate for development of policies and programmes that support implementation and acceptance of those rights.

KEY ACTIONS

- Enshrine sexual and reproductive health and rights for all in law, and as a key step in tackling abortion stigma, and affirming the essential work of abortion defenders.
- Promote and affirm the legitimacy of abortion rights defenders and their work through public and professional education and awareness-raising campaigns that underscore their role as human rights defenders and which combat stigma and discrimination against them.
- Protect civic space, including by removing any laws, regulations, policies or other measures that arbitrarily and disproportionately restrict freedom of expression, association and peaceful assembly and ensuring that individuals and groups who defend and promote sexual and reproductive health and rights can carry out their activities in a safe and supportive environment.
- Address the root causes of threats and attacks against abortion rights defenders, including sexism, racism and other forms of discrimination and inequality; social constructions of gender, gender roles

⁶ WHO, *Abortion Care Guideline*, 2022, [who.int/publications/i/item/9789240039483](https://www.who.int/publications/i/item/9789240039483)

⁷ See for example relevant competencies toolkits issued by the World Health Organization, including the *Family Planning and comprehensive abortion toolkit for the primary healthcare workforce*, 2022, [who.int/publications/i/item/9789240063884](https://www.who.int/publications/i/item/9789240063884)

and norms based on patriarchy and heteronormativity; gender-based violence, and lack of access to justice, transparency and accountability.

- Ensure employers and workplaces adhere to these Key Principles and follow mechanisms and protocols designed to implement them.
- Ensure professional bodies, unions, and health authorities understand and uphold these Key Principles and that their commitments to do so are reflected in the statutes of their organizations.

PRINCIPLE 4 - PROVIDE REDRESS AND END IMPUNITY FOR DEFENDERS

States have an obligation to respect and protect the right of all abortion rights defenders to conduct their legitimate activities without fear of legal sanction or prosecution, whether through false charges or under laws contradicting human rights. States have an obligation to prosecute under the law those who cause harm to abortion rights defenders or damage their workplaces or property.

KEY ACTIONS

- Stop the criminalization of abortion rights defenders, including of healthcare providers who facilitate or provide abortion medication or services and of others who assist or in any way help those seeking abortion medication or services.
- Immediately drop criminal charges, expunge criminal records and release all individuals imprisoned or otherwise punished for either having an abortion, miscarriage, or obstetric emergency or for providing or facilitating access to abortion information, medication, or services.
- Ensure timely and barrier-free access to justice and legal remedies for abortion rights defenders targeted for their work and ensure access to free legal support and aid in cases of prosecutions, arrests, baseless lawsuits, or when they are attacked or harassed physically or verbally.
- Ensure effective investigation, evidence collection and prosecution of all crimes against abortion rights defenders.
- Provide sexual and reproductive health and rights legal training and regular values clarification as part of professional development to all ranks of law enforcement and legal justice professionals.

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Contact



info@amnesty.org



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amnesty.org



Amnesty International
Peter Benenson House
1 Easton Street
London WC1X 0DW, UK

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Index: **POL 30/8739/2024**

Publication: **NOVEMBER 2024**

Original language: **English**

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