

Abolish the Anti-Abortion Law That Threatens the Health of Women

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My Body, My Choice! My body is mine!
Women's wombs are not public goods!
Abortion is the basic right of women!
If abortion is a crime, the killer is the state!



In October 2016, a so-called “black protest” calling for the abolition of the anti-abortion law was held in Korea. In September of the same year, the Ministry of Health and Welfare issued an announcement that it would amend the administrative rules for health care to intensify the punishment for doctors who perform illegal abortions.

In response, doctors came out strongly against this and declared that they would halt abortions as a whole, which triggered the “black protest”. The country that needs to protect the health of its people, and the medical sector, whose priority is the restoration of patients' health, do not regard the health of women as important. For their right to abortion, women had to be hostages in their own fight. Angry women began to take to the streets and accused the reality of abortion and demanded the abolition of the anti-abortion law, which excludes women's human rights.

Abortion is the core of women's health rights

Criminalizing abortion gives men strict control over women. Under the penal code, if a woman undergoes an abortion, she shall be punished by imprisonment for a term not exceeding one year or a fine not exceeding two million won. A doctor who has performed an abortion will also be punished by imprisonment for up to two years. However, there is no punishment for men who have joint responsibility for pregnancy. Besides, there is no system in which the state can force the child's father to provide financial support in order to prevent him from escaping without taking responsibility for the child as if it were a hit-and-run accident. Nevertheless, men have the right to make decisions about getting a surgical abortion. That is because women who do not have consent from their spouses or legal guardians, even if they are allowed to terminate pregnancy under the Maternal and Child Health Law (as exemptions), cannot even get an abortion.¹

The legalization of abortion has become a global trend. Of the 35 OECD member countries, 29 countries, or 80 %, allow women to artificially terminate pregnancy at their request. Of those, four countries include socio-economic reasons as grounds for permitting an abortion. Recently in Ireland, the anti-abortion law was repealed through referendums,

¹ The Korea Sexual Violence Counseling Center, <Abortion, 10 questions, 10 answers, Q&A><https://ksvrc.tistory.com/783>

enabling unrestricted access to abortion during the first 12 weeks of pregnancy.

Anti-abortion law is life-threatening

The anti-abortion law is not for saving lives. Many women have lost their lives because of illegal and unsafe abortions they underwent due to the existence of the anti-abortion law. Given this situation, the state has been pushed to fulfill its national and social responsibilities to actively protect and guarantee lives with disabilities or sickness, and in socially disadvantaged or poor conditions.

Some people claim that the anti-abortion law should not be abolished abruptly when doing so is wrong. Yet according to a study by the World Health Organization (WHO) in 2016, the rate of abortion is lower in countries that allow abortion. Countries that guarantee reproductive rights and share social responsibilities for childbirth and nurturing improve socioeconomic conditions, reducing unwanted pregnancies and making termination of pregnancy services accessible. In order to prevent unwanted pregnancies along with the abolition of the anti-abortion law, aggressive contraceptive practice and sex education should be combined.

Women are more concerned about pregnancy and maternal death subsequent to unsafe abortions. The state should guarantee the protection of its people's lives, instead of punishing and controlling them.

Responsibilities for contraception, pregnancy, childbirth, parenting, and termination of pregnancy should also be shared with the state and men. However, all these responsibilities and burdens have been concentrated solely on women. For women's health and safe termination of pregnancy, legislation to legalize the termination of pregnancy should exclude restrictions such as duration of gestation and reasons for application. Medical services related to pregnancy, termination of pregnancy, and contraceptives should be expanded as public health practices. In accordance with UNESCO's International Guidelines on Sexuality Education, comprehensive sex education should be conducted, promoting age-appropriate and culturally appropriate access to sex and relationships by providing scientifically accurate, realistic, and value-neutral information.

Now we must secure women's health and reproductive rights through the abolition of the anti-abortion law and the legalization of the termination of pregnancy. It is the question of women's human rights and social justice whether or not women can terminate pregnancy safely in the case of unwanted pregnancies. I hope that the year 2018 will be marked by the abolition of the anti-abortion law in Korea.

