



COMMITTEE GUIDE

The Commission on the Status of Women

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Introduction

“No woman can call herself free who does not control her own body.” As said by Margaret Sanger that every women has the right to decide over her body and if it is abortion it should be the same way. However on the other hand Ronald Reagan says “I've noticed that everyone who is for abortion has already been born.” meaning that all these people got to live and were not a victim of abortion. This fight has been going on for a while and as the Commission on the Status of Women it is in our intention to find a solution to this expanding problem. Some countries such as the United States of America, had laws that abortion was permitted in some states. This issue affects not only the women that can not decide for themselves if they want to have a child but also affects the child for not being able to live. On the one side abortion should be allowed since it is every woman's right to control her own body and decide what she want to do with it however on the other hand abortion should not be allowed since it could be considered murder and also it can damage a woman's body forever. Therefore the abortion debate has been going on for a while and has expanded to more and more people.

Chair and Deputy

Honourable all,

I am Fenne Saalmink from the Lorentz Lyceum. I am honoured to be your chair of the Commission on the Status of Women at the annual session of MUNISS. I am from the Netherlands and have attended MUNISS twice before. I have chairing experience, at, for example, my own conference in Arnhem. I am seventeen years old and am in my second to last year of high school. I have always found the mingling and meeting new people during a conference to be the most exciting. That and having a speech that is well thought of and addressed brilliantly. Together with my Deputy Cedric Strohkendl we will be sure to keep the debates fruitful and the delegates motivated. I look forward to seeing you all in april!

Kind regards,

Fenne Saalmink



Distinguished Guests, fellow chairs and honourable Delegates,



My name is Cedric Strohkendl and it is my honour and pleasure to be the deputy chair of the Commission on the Status of Women (CSW) at the 2017 edition of the annual MUN conference in Stuttgart.

Currently I'm visiting 9th grade at the International School of Stuttgart. I've been living in Stuttgart my entire life. I started MUN back in 2014 as a Admin, attending 4 conferences. This will be my fifth time participating in an MUN conference and my first time being a part of the Student Officer Team.

I wish everyone a great conference and hope to see many of you in the future!

Cedric Strohkendl

Topic: The question of abortion

Key Terms

Abortion

Abortion is when a pregnancy is ended by removing the fetus or embryo before it can survive outside of the uterus. There can be a spontaneous abortion which is named miscarriage meaning that it was not intentional. There is also induced abortion which is an abortion on purpose. In some cases the fetus could survive outside the womb which is called a late termination of pregnancy.

Fetus / Embryo

The fetus and the embryo are terms to describe the two stages of the child's state in the uterus. In humans the pregnancy is normally considered to be in the embryonic stages of development or embryo between the fifth and the eleventh week after fertilization. After the eleventh week however the embryo changes to the fetus.

Roe v. Wade

The case Jane Roe, et al. v. Henry Wade or better known as Roe v. Wade was a landmark decision on the topic of abortion made by the United States Supreme Court. The court concluded by a 7 to 2 vote that a woman's decision to have an abortion would fall under the right to privacy. However they also concluded that this right must be regulated by the state to protect women's health and protect the potentiality of human life.

Maternal mortality rate

Maternal mortality rate is the amount of registered maternal deaths caused by a birth or a pregnancy related confusion per 100,000 registered live births.

Issue Explanation

In most countries of the world women still have limited access to a safe abortion service because of lack of health services, a proper regulation or also political will even where abortion is legal. However only a very small amount of countries forbid all abortions. In most countries abortion is allowed if the pregnant woman's life is at danger or if the woman is pregnant because of rape or incest.

This topic is a highly emotional subject and also one that can offend deeply held opinions. People argue that when the country has a safe and legal abortion no one is forced to have it however when abortion is unsafe and illegal, then women are forced to carry out unwanted pregnancies to suffer serious health consequences and even death. It is proven that around 13% of maternal deaths worldwide have something to do with an unsafe abortion meaning between 68000 to 78000 deaths annually.

This is changing since the women's organization across the world have fought for the right to access safe and legal abortions and in fact more and more international human right law support their claims. They have come to the conclusion that women have a right to decide independently in all matters related to reproduction including the issue of abortion.

Historical Background

Women's Rights has always been a problem in the United States of America however it was hard to find a solution. In April 1992 the U.S. Supreme Court prepared to listen to the case "Planned Parenthood v. Casey", which threatened women access to abortion. A woman named Sharon Smith decided to write an article looking at the state of women's right to abortion in the lead-up to a mass protest planned for Washington, D.C. that month. This article first appeared in the April 1992 issue of Socialist Worker.

The article written by Sharon Smith explains the history of women's rights on abortion. She talks about women's rights in the early 1970s how the women's movement demanded that abortion should be legalized as part of a larger movement for women's rights. They also demanded that legal abortion should be a right and therefore be available to all women even if they are poor, young, married or not. For them it was clear that if they would not have control over their own reproductive lives then women would not be equal to men even if a women has made advances in the job market or in education.

Sharon Smith however starts to explain how it is in the early 1990s and how the debate about abortion has been shifted from the original debate in the early 1970s. She explains that the debate started slowly getting destroyed meaning that the debate turned out to be over who should be able to get around the woman's choice to put an end to an unwanted pregnancy. However laws started to exist which allowed parents, husbands or even the state government to prevent pregnant women from having abortions. The right which the women's movement demanded changed to a privilege which denied a great amount of women asking for abortion.

The States of the US started going against abortion. For example 37 states made a decision which was to not provide abortion funding for poor women's abortions. From those 37, 32 states would not even fund abortions for poor women who had been pregnant due to rape or incest or in some cases of a deformed fetus. To that 35 states had laws which required women under 18 to get permission from a parent before they can have an abortion.

There were some states such as Pennsylvania which created laws which did not get decided by the Supreme Court however their law was that married women had to notify their husbands in order to get an abortion and it also required that women receive

counseling on other options to abortion. To that the women had to wait 24 hours before being able to have an abortion.

Louisiana, Utah and Guam all had laws which were passed by their state however haven't reached the Supreme Court yet. These 3 laws are all laws which banned abortion. It is described that when they reach the Supreme Court, the Supreme Court would have the chance to overthrow the decision 1972 on the case Roe v. Wade, which was a law that made abortion a legal right.

Because of the laws millions of women across the United States of America had obstacles in their way which made them move to different states or made them get a baby. However socialists thought this were enough challenges and argued that they will fight to prevent the decision of the case Roe v. Wade from being overturned it would not be enough. As explained by Sharon Smith "It is legal now, but inaccessible to millions."

The laws do make women's lives harder however not all women go through the problem the same way. Some don't even go through the problem at all since wealthy women can always afford to get an abortion even if it is illegal. When abortion was still illegal, wealthy women could get an abortion because they had the money to get a private physicians and were able to travel and get around the law. However normally women who want an abortion are not wealthy women but young or poor women since women tend to get an abortion is that they can not afford taking care of a child. This can be seen in statistics that the poor or and working class women have the most amount of abortions by far.

When the first attack on abortion initiated by the Congress and had then passed the Hyde Amendment, which was there to stop federal abortion funding for women on Medicaid. This caused major problems since only a month later, Rosie Jimenez, who was a Medicaid recipient and a single mother of two children had bled to death after having an illegal abortion. It is not only Rosie Jimenez who had this problem but one in every three abortions was funded by Medicaid until the Hyde Amendment appeared.

Not only has the Hyde Amendment been happening but also the so called "gag rule" which was a law that forbids clinic personnel to mention the option of abortion to their patients. This means that even if their patient asks the personnel where she can get an abortion the clinic personnel must say this, "This project does not consider abortion an appropriate method of family planning.

A few years later, the Supreme Court had a chance in the *Rust v. Sullivan* decision to overturn the gag rule. The Congress passed a bill that would have overturned it however Bush vetoed it. Then a couple of years later Bush loosened the restrictions to allow clinic doctors to discuss the abortion option with their patients if they had medical difficulties with their pregnancies.

Involved Parties

Argentina

Argentina has an estimate of 500,000 abortions occurring every year which is about 40% of all pregnancies. The consequences of illegal and unsafe abortion have created the leading cause of maternal mortality. Access to abortion continues to be illegal however the penalty may be suspended where the life or health of the pregnant woman is in danger, or where the pregnancy is the result of the rape of a mentally disabled woman. In Argentina the government forbid the sale of all contraceptives for several decades in the late twentieth century. This position is only partially explained by reference to Catholic Church doctrine. Historically, a central part of the identity of the political elite in Argentina has been that of a frontier nation to be colonized and populated by Caucasian immigrants from Europe. Indeed, the Argentine Constitution charges the federal government with the active encouragement of European immigration. This pro-natalist approach has historically set Argentina apart from the rest of South America, so much so that Argentina in 1996 was the only country in the region to provide no public support of any kind for access to contraception, and in 2001 the only country to provide no direct support. In a positive development, in 2002 the Argentine Congress passed a law, which was the law of National Law on Sexual Health and Responsible Procreation, which contains important provisions for the advancement of women's rights and health. However, this law does not address women's severely limited access to safe and legal abortion services.

Relevant Statistics

- Argentina's population is approximately 39 million, of which 27 percent is under 15 years old (2002).
- The fertility rate is 2.4 children per woman, and the annual population growth is 1.1 percent (2002).
- Reported maternal mortality rate is 46.1 per 100,000 live births (2002), up from 38.1 in 1997.
- An estimated 30 percent of maternal mortality is due to consequences of illegal abortion (2004).

- An estimated 500,000 illegal abortions occur in Argentina annually (2004), constituting approximately 40 percent of all pregnancies.
- The most recent data available (from 1996) shows that contraceptive use in women of childbearing age was 75 percent.

Brazil

Approximately one to four million abortions are performed in Brazil every year. The National Health System, SUS (Sistema Único de Saúde), estimates that 250,000 women enter emergency rooms every year with health problems that are a direct consequence of unsafe abortions. Unsafe abortion is the fourth leading cause of maternal mortality in the country, after hypertension, hemorrhaging, and post-birth infections. Under Brazil's penal code, abortion is only allowed when it is used to save the pregnant woman's life or where the pregnancy is the result of rape or incest. The vast majority of abortions in Brazil are performed under unsafe medical conditions in illegal clinics or other hidden settings. Therefore Brazilian women's groups have been pressing for the right to safe and legal abortion for years, and in 2005 launched the "Brazilian Campaign for the Rights to Legal and Safe Abortion" (Jornadas Brasileiras pelo Direito ao Aborto Legal e Seguro). In an encouraging development in 2005, the Brazilian Ministry of Health implemented a new set of rules that do away with some of the most demanding procedural requirements that until now have prevented women who are pregnant as the result of rape from getting access to legal abortion.

Relevant Statistics

- Brazil's population is approximately 180 million, of which 28 percent is under 15 years old (2002).
- The fertility rate is 2.2 children per woman, and the annual population growth is 1.1 percent (2002).
- Reported maternal mortality rate is 45.8 per 100,000 live births (2000), down from a recent high of 68 in 1998.
- Unsafe abortion is the fourth leading cause of maternal mortality in the country (2004).
- An estimated one to four million illegal abortions occur in Brazil annually (2004).
- The most recent data available (from 1996) shows that contraceptive use in women of childbearing age was 77 percent.

Chile

Abortion in Chile has been illegal in all circumstances, even when the life of the pregnant women is at risk, since 1989. Therefore Chile has a shocking number of women every year risk illegal and because of that generally unsafe abortions, reflecting a general inability of women to control their fertility by other means. Indeed, surveys suggest that a very high proportion of pregnancies in Chile are not desired. About 35 percent terminate in abortions, corresponding to approximately 160,000 abortions per year, 64,000 of them by girls under eighteen.

Experts note that Chile could significantly lower maternal mortality if women had ready access to safe and legal abortions. Women's rights NGOs have long worked for less restrictive abortion laws, including through a 2003 paid advertisement in one of Chile's national newspapers where 232 women declared that they had aborted and demanded that Chile legalize unrestricted abortion.

Relevant Statistics

- Chile's population is approximately 15 million, of which 27 percent is under 15 years old (2002).
- The fertility rate is 2.3 children per woman, and the annual population growth is 1.2 percent (2002).
- Reported maternal mortality is 16.7 per 100,000 live births (2002), down from 22.3 in 1997.
- Unsafe abortion accounts for an estimated 25 percent of maternal mortality (2004).
- An estimated 160,000 abortions occur annually in Chile.
- The most recent data (from 1996) shows that contraceptive use in women of childbearing age was 60.1 percent.

Mexico

Abortion is a crime in Mexico, and women in some states continue to be prosecuted for it. At the same time, all authorities establish some exceptions for the general criminalization of abortion, and all penal codes permit legal abortion for rape survivors. In 2003, the Autonomous National University of Mexico (UNAM) published a study estimating that approximately half a million girls and women undergo abortion (both legal and illegal) every year in Mexico. In 2005, UNAM updated its study, concluding that the previous figure had seriously underestimated the prevalence of abortion and that the annual number of abortions in Mexico was closer to one million. This would

constitute approximately 30 percent of all pregnancies in a year. An estimate published by the Latin American Center on Health and Women (Celsam) concluded in 2004 that the annual number of abortions was between half a million and 850,000. Meanwhile, government figures dating from 1995 estimate that only 100,000 clandestine abortions are carried out each year.

Mexico's constitution protects the universal right to decide on the number and spacing of one's children, and the general health law from 1984 (last amended in 2004) establishes a duty on public health clinics and hospitals to provide a relatively wide range of contraceptives free of charge.

Relevant Statistics

- Mexico's population is approximately 105 million, of which 32 percent is under 15 years old (2002).
- The fertility rate is 2.4 children per woman, and the annual population growth is 1.4 percent (2002).
- Reported maternal mortality rate is 64 per 100,000 live births (2002), up from a reported 47 in 1997.
- Illegal abortion is considered the fourth leading cause of maternal mortality (2004).
- An estimated 100,000 to 500,000 illegal abortions occur in Mexico annually (2004).
- The most recent data available (from 1996) shows that contraceptive use in women of childbearing age was 68 percent.

United States of America

In the United States, where abortion is legal, services are not readily accessible. In fact, many women and girls face serious legal or financial obstacles to accessing safe abortion services because of difficult regulations, lack of providers, insufficient funding, or political opposition. Obstacles to safe abortion in the United States seem to be on the rise. Since the landmark Supreme Court decision in *Roe v. Wade* in 1973, which established women's right to decide with regard to abortion as a matter of privacy, both state and federal legislators have limited access to legal abortion.

These roll-back measures generally seek to do one of two things:

1. curtail women's access to legal abortion (such as through mandatory waiting periods or mandatory, and at times manifestly inaccurate, counseling); or

2. limit legal access to abortion to certain populations (such as rape victims or women whose lives are endangered by their pregnancy).

Women with limited economic resources face additional obstacles to safe abortion, resulting particularly in discrimination against women who may already be marginalized. Abortion services have been subject to a federal funding freeze since 1977 except in cases of life endangerment, rape, or incest. Furthermore, the majority of states do not provide funding for abortion services that fall outside these exceptions. A safe abortion often costs \$500-\$1,500. As a result, women with limited resources, who have not been raped or whose lives are not endangered by their pregnancy, may be forced to choose between carrying an unwanted pregnancy to term or taking desperate measures that could seriously jeopardize their health.

Media Contribution

In the debate thrown up a couple of years ago by the that year abortion referendum media 'experts' and commentators have been saying that the progressive changes that occurred around contraception, divorce and equal age of consent for gays in Ireland in the early to mid-nineties were a natural result of modernisation of Irish society and occurred because liberal politicians decided to push for these changes. They tried to make the people believe that they were supposed to feel that only their rulers can change things, and that the rest of them were pretty powerless. Well, it was not true.

Certain objective conditions, such as the greater urbanisation of Irish society, have had some effect on changing attitudes away from the conservative and ultra-Catholic views that dominated Irish society in the past. However no progressive reforms would ever have occurred were it not for people organising and fighting for these changes.

Previous attempts to solve the issue

Since Clarence Thomas' appointment to the Supreme Court, many in the pro-choice movement have already conceded defeat. Many people believe that it was necessary that the Supreme Court stacked with Reagan and Bush appointees will overturn *Roe v. Wade* when it sets the opportunity. Attention has focused on the Guam abortion ban, which was furthest along in the appeals process and would reach the Court in a couple of years.

But despite the obvious anti-abortion bias on the Court, it's wrong to assume that legal abortion was doomed and that the strategy of the pro-choice movement would affect the outcome. For one thing, the conservatism of the current Supreme Court in many ways parallels that of the Burger Court, which upheld legal abortion in the 1973 *Roe v. Wade* decision. In fact, then-President Richard Nixon had appointed Warren Burger as Chief Justice in order to conservatize the Court. Yet the Burger Court voted 7-2 in favor of choice. And Justice Harry Blackmun, who authored the *Roe v. Wade* decision, was also a Nixon appointee. The widely held view is that the Supreme Court is not subject to pressure from public opinion because the nine justices hold lifelong appointments. But the Court does not interpret the Constitution in a vacuum.

This is why the Supreme Court upheld segregation laws at the turn of the century and then struck them down in *Brown v. Board of Education* in 1954. Similarly, the Court upheld legal abortion in 1973 and now may overturn it. The reason for such widely divergent interpretations of the Constitution lies in external factors which cause the Supreme Court to lean in more political direction.

The difference between the 1973 Burger Court and the 1992 Rehnquist Court is not the result of who appointed the justices, a liberal Democrat or a conservative Republican but the difference lies in the external political climate.

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