



New Nicaraguan Law Violates Human Rights

By **Marta María Blandón**

December 11, 2006

When “Maria” (not her real name) recently entered a Nicaraguan hospital, three months pregnant and bleeding heavily, doctors said they couldn’t treat her miscarriage.

Because their ultrasound machine was broken, they couldn’t determine whether she had truly miscarried—and any attempt to treat a miscarriage without such proof could expose the patient and her physician to accusations of inducing an abortion and possible prosecution.

Denying such treatment is likely to become routine in Nicaragua, where on Nov. 17 the outgoing president, Enrique Bolaños, signed a [law](#) that eliminated the only legal circumstance in which induced abortion was permitted: to protect a woman’s life or health.

Yesterday on [Human Rights Day](#), women in Nicaragua faced this grim reality. Under the law, Maria’s medical emergency would go untreated, exposing her to life-threatening infection, fertility loss, and emotional trauma.

Denying necessary medical care—even abortion care—goes against basic human decency and violates a woman’s human rights. [Nearly 6,700 women](#) are hospitalized every year in Nicaragua with complications from miscarriages and illegal abortions. For such women, the new law can mean a death sentence.

[El Salvador](#) passed a similar ban in 1997; and as a result health professionals often delay medical treatment for women suspected of having abortions while reporting them to the police. If they don’t act as informants against their patients, they too can be prosecuted. It’s a choice no health care provider should have to make.

The law that Bolaños signed was introduced and passed under pressure from conservative Catholic and evangelical leaders. Members of the National Assembly ignored the petitions of human rights and women’s groups in Nicaragua, as well as international health experts and diplomats who warned that this law would endanger women’s health and survival. When I and other members of women’s groups sought audiences with members of the National Assembly, we were ignored. When we sought to attend the debate on the floor of the

Assembly, we were physically barred from the building, while church leaders were welcomed.

By enacting this law, the Nicaraguan government has made a statement that women's lives are less valuable than a fetus or even a fertilized egg. This is what conservative evangelicals and the Vatican, which has publicly vowed to dismantle therapeutic abortion across Latin America, have called a "victory." We call denying women essential, life-saving health care and robbing women of participation in civil society a gross violation of human rights.

International human rights bodies have established that denying women access to safe abortion care violates their human rights. Research has definitively shown that abortion bans do not decrease the number of abortions—they only drive them underground and make them unsafe. This happened in the [United States](#) before *Roe v. Wade*, it is happening in El Salvador, and it will happen in Nicaragua.

The Nicaraguan government has brazenly ignored this evidence. And it has so far been unresponsive to an [official statement](#) issued late last month by the Inter-American Commission on Human Rights, which said that the Nicaraguan law runs counter to several important world agreements to which Nicaragua is a signatory, including the [Convention on the Elimination of Discrimination Against Women](#). In the past two years, the Inter-American Commission and the U.N. Human Rights Commission have each heard cases against [Mexico](#) and [Peru](#) and ruled that denying women access to abortion care is a violation of their human rights.

It would be easy to dismiss this extreme law as tragic but ultimately the internal affair of a sovereign nation. But this abortion ban is a sign of the growing influence of politically conservative, often religious, forces that are chipping away at women's reproductive rights in the United States, Nicaragua, and elsewhere.

The Nicaraguan government has chosen to turn its back on women and their doctors, and to violate women's basic human rights. Today I join many of my fellow countrymen in hoping that on this International Human Rights Day, the Nicaraguan government will reverse itself on a law with such devastating consequences for women like Maria, and their families.

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