



June 23, 2017

presidencia@stf.jus.br

Dear Carmen Lucia, President of the Supreme Court of Brazil:

We write on behalf of Global Doctors for Choice (GDC), an international network of physicians from a range of specialties committed to improving women's reproductive health and rights. GDC is committed to the provision of high-quality medical care grounded in science and to the defense of reproductive rights. We strive to protect and expand access to comprehensive reproductive health care through advocacy for evidence-based policy and medical research.

We write to the Supreme Court to urge you to reconsider the criminalization of abortion, particularly articles 124 and 126 of the Penal Code, in light of the Federal Constitution of 1988, and as such legalize abortion up to the first 12 weeks of pregnancy – for any reason. GDC supports the ADPF (Arguição de Preceito Fundamental) n. 442 and assertions made by Partido Socialismo e Liberdade (PSOL) and Anis that the criminalization of abortion, based on the Penal Code of the 1940s, does not hold up under the 1988 Constitution. The Brazilian Magna Carta ensures the dignity and citizenship of all people as a fundamental right. By criminalizing abortion, these rights are not honored – as women are denied bodily autonomy, risk being incarcerated, and only have access to clandestine abortion services which may cause physical and psychological harm and even death.

Abortions occur in Brazil despite moral dogma and illegality. The 2016 National Abortion Survey indicates that over half a million Brazilian women have had an abortion. Criminalizing abortion impacts all women, but particularly those who are most vulnerable - poor, black, and indigenous – as they do not have the resources to obtain a safe procedure and thus are more likely to suffer maternal morbidity and mortality due to clandestine abortions.

Further, the Zika outbreak continues to highlight the need for the Brazilian government to affirm its commitment to women's health and rights, and fulfill its national and international obligations to protect the most vulnerable Brazilians by ensuring adequate infrastructure, cash benefits, mosquito control programs, and public health resources, including access to comprehensive reproductive health information and options. Poor and marginalized women have been particularly impacted by the Zika virus, as they have less access to financial, health, and information to prevent unwanted pregnancy and to raise a child with microcephaly.

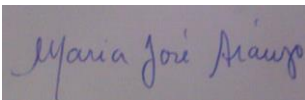
As doctors, our first duty is always to our patients. Access to comprehensive reproductive health and family planning is essential to ensure the best possible conditions for women's and the overall population's health. We are alarmed that the recent decision denies the Brazilian population, especially vulnerable groups, access to comprehensive family planning and reproductive health services.

As a global network of physicians, we urge you to review the Federal Constitutional fundamental rights to dignity and citizenship and as such declare a partial non-acceptance of articles 124 and 126 of the Penal Code, and thus legalize abortion up to the first 12 weeks of pregnancy and prevent unnecessary medical and psychological harms for people, particularly women and vulnerable populations, in Brazil.

Sincerely,



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