

November 7, 2018

presidencia@medicos.cr

Dear Colegio de Médicos y Cirujanos de Costa Rica,

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 human rights. We strive to protect and expand access to comprehensive reproductive health care through advocacy for evidence-based policy and medical research.

We urge you to reconsider the language included in the recent "Official Declaration about Abortion" released by the College of Doctors and Surgeons of Costa Rica as this declaration does not follow medical or scientific evidence. The declaration includes that "*the physician should always be in the service of preserving life in any stages, from the beginning of conception, until the moment in which a human being exhales for the last time.*"

Doctors have the right to object to participating in actions that do not align with their religious or moral beliefs but they must ensure that they do not compromise the rights of others. International human rights bodies and medical societies, have clearly stated that the physician's primary duty is to treat the patient, the right to conscientiously object is secondary to that, and that safeguards must be in place to ensure that even patients of objectors have access to services without experiencing discrimination or undue delay.

Specifically, objecting doctors must provide patients with scientifically accurate information, make referrals to willing and available alternative doctors, and provide the contested service if no one else can do it or if the patient is in an emergency. Moreover, only individuals involved in direct provision, not those involved with follow-up care, making the appointment, ordering supplies, etc., can conscientiously object.

There is a distinction between conscientious objection – a privilege that should be handled responsibly and that cannot intrude on others' basic rights – and obstruction of care – an unethical and illegal practice.

It is recognized by medical societies worldwide that the invocation of the right to conscientious objection has limits, that is, our right to refuse care must be guided by our ethical and legal obligations to ensure that patients' rights to information and access to services are not infringed or obstructed.

We at Global Doctors for Choice understand that we cannot invoke the refusal of care in an abortion situation when we are faced with:

- a) in case of need for abortion because of life threatening pregnancy associated complications;
- b) in any legally permissible abortion situation, in the absence of another physician doing so and when the woman can suffer damage or health problems due to the doctor's omission; and
- c) in the attendance of complications derived from unsafe abortion.

The refusal to provide comprehensive medical care may conflict with women's exercise of their reproductive rights, as outlined by Costa Rican law, and also to failure to provide urgently needed care when a woman's life threatened due to circumstances regarding a pregnancy and/or abortion.

As doctors, our duty is to our patients. As a global network of physicians, we urge you to consider evidence-based medical standards of care by providing women with an effective means to safeguard their health and, therefore, commit to promoting and providing comprehensive medical information, referrals, and care, including abortions, to all who seek it.

Sincerely,

ANA CRISTINA GONZALEZ V.

Dr. Ana Cristina González Vélez
Grupo Médico por el Derecho a Decidir
Bogotá, Colombia



Dr. Alfonso Carrera
Grupo Médico por una Libre Elección
México DF



Dr. John Koku Awoonor-Williams
Global Doctors for Choice
Accra, Ghana



Dr. Wendy Chavkin
Columbia University
New York, USA



Dick Van der Tak
Executive Director, Global Doctors for Choice