

August 2011

Dear Polish Prime Minister:

We write on behalf of an international network of physicians committed to improving reproductive health status around the world to express our concern over the draft text for the new bill on abortion, "The law on changing the Law on family planning, protection of the human fetus and conditions for legal abortion". We fear that this bill contains provisions that will harm women's health.

There is consensus amongst medical, public health and human rights groups that safe abortion is essential in order to reduce maternal morbidity and mortality and to guarantee women's human rights. The language used in the draft of the new bill unconditionally prohibits abortion, even in situations that pose serious threats to women's health. As such, it does not correspond to the language used in international and European human rights instruments, which aim to protect the lives and health of women, and to which Poland is a party.

Two cases, which Poland lost before international courts, provide examples of such harms (*Tysiac v. Poland*, App. No. 5410/03, Eur. Ct. H.R. (2007); *Z. v. Poland*, App. No. 46123/08, Eur. H.R. (2008)). *Tysiac* was told that pregnancy posed a serious risk to her already compromised vision, had difficulty finding a doctor to issue a certificate authorizing the termination despite this prognosis, was subsequently denied the procedure despite the authorization and experienced retinal hemorrhages, deteriorated vision and probable future blindness. Another such example is the case of *Z.* who died from ulcerative colitis, after having been denied necessary diagnostic tests and treatment because her doctors were concerned about putative harm to the fetus.

International, European, and other regional human rights instruments clearly state that it is imperative to provide timely and appropriate healthcare services, including ante- and post-natal healthcare services, to women. Poland's pending abortion law will not be consistent with these instruments and threatens to further the systematic denial of services in severe health and life-threatening situations, placing women's lives and health in jeopardy. We urge Poland to conform to evidence based medical standards of care and to the framework of human rights including the right to health and not to endanger the lives and wellbeing of its female citizens.

Sincerely,

Global Doctors for Choice