

ABORTION REFORM IN NORTHERN IRELAND: WESTMINSTER MUST DEFEND WOMEN'S RIGHTS

The referendum result in Ireland to repeal the eighth amendment of its Constitution has reverberated across the UK, highlighting the continued infringement of women's rights in Northern Ireland. As the rights of Northern Irish women continue to be breached, we call on Scottish MPs to support the repeal of the regressive abortion law in Northern Ireland.

Abortion in Northern Ireland is regulated by the 1861 Offences Against the Person Act, which limits abortion to being available only if there is a serious, permanent or long-term risk to the life or health of the pregnant person. Given the strict limits on abortion, over 700 people travelled from Northern Ireland to England last year to access a safe and legal abortion. **In February 2018, the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) concluded that the abortion law in Northern Ireland was a breach of human rights.**¹ It called on the UK Government to act to decriminalise abortion in Northern Ireland. Human rights are not devolved to the Northern Irish assembly.

FULFIL WOMEN'S RIGHTS BY REPEALING THE EXISTING LAW

Scotland has previously come to the aid of those in need of abortion care in Northern Ireland. Last year, the Scottish Government extended abortion care services in Scotland to Northern Irish residents. **Today, Northern Irish women need Scottish MPs to continue this support.**

A referendum is not required to fulfil women's rights in Northern Ireland. A popular vote on women's rights should be avoided at all cost, primarily as it is not constitutionally required (as it was in Ireland). Women's rights are inherent, not subject to the views of the electorate. **Given the ongoing breach of women's rights in Northern Ireland, it is incumbent on those who hold power to right this wrong.** This position is shared by the UN CEDAW Committee, which concluded in February 2018 that:

*...the delegation of government powers "does not negate the direct responsibility of the State party's national or federal Government to fulfil its obligations to all women within its jurisdiction". Thus, **the UK cannot invoke its internal arrangements (the Belfast Agreement) to justify its failure to revise NI laws that violate the CEDAW Convention.***²

The UK Government has the power to legislate so that women in Northern Ireland can access a safe and legal abortion. For too long, Northern Irish women have been denied the same levels of care, dignity and respect as those in the rest of the UK. In the past, Scotland has shown it trusts women. The question now is whether Northern Irish women can trust Scotland to act to prevent continued human rights violations. **We urge all Scottish MPs to**

¹ UN CEDAW. (2018). *Report of the inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.*

² Ibid.

support the fulfilment of women's rights in Northern Ireland by calling for the repeal of the current abortion law.