



## **West Coast LEAF Position Paper: Access to Abortion and Contraception**

**March 2013**

1. Women's equality rights under the *Canadian Charter of Rights and Freedoms* cannot be realized without access to safe, legal and publicly funded abortion care. Women's autonomy over their bodies and freedom to choose if and when to have children is paramount. The state has no role limiting women's reproductive choices or compelling women to have children against their will, either through legislative measures or by failing to ensure equal and adequate access to reproductive health care, including abortions.

Access to abortion care is a fundamental issue of women's equality. Only women become pregnant, bear children, breastfeed, and are disproportionately responsible for child care. The decision whether and when to become pregnant and bear children impacts on women's autonomy, privacy, economic security, health and safety.

Women's reproductive rights include the right to control their own fertility and the right to be free from coercion in their reproductive choices. Women's reproductive rights also include the right to make informed decisions and to give informed consent to any medical intervention affecting them.

Barriers to accessing abortion care undermine women's equality rights. Denied the ability to make their own reproductive choices, women do not have autonomy over their own lives and are prevented from full and equal participation in Canadian society. Women cannot truly exercise their constitutional and fundamental human rights without accessible, safe, and publicly funded abortion care that is available to all women, without restriction or barriers.

The Supreme Court of Canada made clear in 1988 that the criminalization of abortion is a violation of a woman's right to security of the person, protected by section 7 of the *Canadian Charter of Rights and Freedoms*.<sup>1</sup> Safe, legal and publicly funded abortion care is also guaranteed under the *Canada Health Act*.

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<sup>1</sup> *R. v. Morgentaler*, [1988] 1 S.C.R. 30.

# Abortion Position Paper

**British Columbia. Special Advisory  
Committee on Ethical Issues in Health  
Care**

## Abortion Position Paper:

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