

LETTER OF SUPPORT

TO: ROMANIAN PARLIAMENT

REF: Draft Law on the establishment, functioning and organization of counseling cabinets for pregnancy crisis in Romania

„We, the undersigned organizations, commend the initiative of the Romanian Parliament in amending its law on abortion through the *Draft Law on the establishment, functioning and organization of counseling cabinets for pregnancy crisis in Romania* to better protect the health and well-being of mothers while at the same time protecting life. Human life is a fundamental good. As both promulgated and customary international law dictate, the right to life is inalienable and extends to all members of the human family.

The current proposal before the Romanian Parliament on informed consent provides a compelling and reasonable means of bolstering protection to human life while at the same time benefitting the mother. Informed consent laws have been internationally accepted as not placing an undue burden on a woman seeking to procure an abortion. Nor do reflection periods increase health risks to women seeking abortions. To the contrary, studies show that as many as 85 % of women surveyed feel that they they were misinformed or denied relevant information during their pre-abortion counseling.¹

A woman has a right to be fully appraised of all of her possible options before obtaining an abortion, including the alternatives to abortion such as adoption, and should be informed of the risks of complications stemming from abortion including death and the prevalence of post-abortion depression. Society also has a vested interest in the health and welfare of the fetuses in question. Only palpable benefits may stem from the implementation of the proposed informed consent law.

While international abortion groups seek to put pressure on this Parliament to restrict a woman's choice, it is paramount that European law is decisive of the fact that abortion is not a human right

¹ David Reardon, *Aborted Women, Silent No More*, (Westchester, IL: Crossway Books, 1987)pp 16-17, 335.

and that individual States have the sole authority to determine the protections they wish to afford to life and to women's health.² Furthermore, there exists no right to abortion under international law, either by way of treaty obligation or under customary international law. No United Nations treaty can accurately be cited as establishing or recognizing a right to abortion.³ Nor does the European Union have competency over the issue of abortion.⁴

The Romanian Parliament therefore has a right and a duty to women and the unborn to enact the proposed legislation. The failure of the current system in Romania is clearly exhibited by a recent case pending with the European Court of Human Rights where the applicant became sterile after obtaining a legal abortion and is now complaining that no competent procedure of informed consent provided her proper warning as to the risks of abortion.⁵ We therefore commend the efforts of this esteemed Parliament in seeking to provide much needed protection for the life, health and mental well-being of mothers and for recognizing the immutable good of human life.

Respectfully submitted, ”

Signatories

Anne Girault, Virginie Rotheÿ, Bénédicte Moracq, Laurence de Gressot
Femina Europa Executive Board Members

Patrick Sciacca, Esq.
Alliance Defense Fund Allied Attorney

² See: *A., B., and C. v. Ireland* [G.C.][2010] ECHR 2032, Application no 25579/05.

³ See: *San Jose Articles*, Article 5; Available at: <http://www.sanjosearticles.com/>.

⁴ For example, in 2006, the European Council stated that: “The European Union treaties have not bestowed on the Community or the Union the competence whereby the Union could regulate on abortions.”(Paula Lehtomäki, President-in-Office of the Council, 13 December 2006, replying to an Oral Question (H-0983/06) by Bastiaan Belder, MEP. Emphasis added. Available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20061213&secondRef=ITEM-021&language=EN#3-429>). Likewise, on a separate occasion, the European Council clarified that: “the issue of abortion from a legal point of view falls under the competence of the individual Member States.”(Answer given by the Council to a Written Question (E-4955/06) by Emilio Menéndez del Valle, MEP, on 16 November 2006. Emphasis added. Available at: <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2006-4955&language=EN>). And further still, the European Council has stated that the term “reproductive health” does not include any reference to a right to abortion and the Council does “not accept that abortion should form part of policies on reproductive and birth control education.”(Answering questions from MEPs Bernd Posselt (H-0729/03) and Dana Scallion (H-0794/03), 4 December 2003. Available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20031216&secondRef=ITEM-005&language=EN#2-178>).

⁵ ECHR, *Csoma v. Romania*, application no. 8759/05.

Jeffrey W. Johnson
Alliance Defense Fund Allied Attorney

Nikolas T. Nikas
President & General Counsel, Bioethics Defense Fund

Dorinda C. Bordlee
Vice President, Chief Counsel, Bioethics Defense Fund

Dana Cody
President and Executive Director, Life Legal Defense Foundation

Dr. Day Gardner
President, National Black Pro-Life Union, USA

Marie Smith
Director, Parliamentary Network for Critical Issues

J. C. Willke, MD
President, International Right to Life Federation

Bradley Mattes
Executive Director, Life Issues Institute

Jo Tolck
Executive Director, Human Life Alliance

Fr. Terry Gensemer
International Director, Charismatic Episcopal Church For Life

Mrs. Gunilla Gomer
President, Ja till Livet (Sweden)

Steven Ertelt, Editor
LifeNews.com

Eric Scheidler
Pro-Life Action League

Gunta Irbe
Family Association of Latvia

Georgette Forney
President, Anglicans for Life
Co-founder, Silent No More Awareness Campaign

Maggie Karner
Director of Life and Health Ministries
The Lutheran Church-Missouri Synod

Jaime Urcelay
President, Profesionales por la Ética

Mary L Davenport, MD
President, American Association of ProLife Obstetricians and Gynecologists

Ma. del Rocío Gálvez de Lara
President, Comite Nacional Pro-Vida, Mexico

Marie Bowen
Executive Director, Presbyterians Pro-Life

Christine de Marcellus Vollmer
President, ALAFA - Alianza Latino Americana para la Familia

Carlos Polo Samaniego
Director de la Oficina para América Latina, IDEAS para América Latina

Steven W. Mosher
President, Population Research Institute

Allan Parker
President, The Justice Foundation

Lourdes del Fresno
Foro de la Familia (Spain)

Giuseppe Barbaro
"Forum delle Associazioni Familiari" (50 associations and 3 millions of families), Italy

Ignacio Arsuaga
President, HazteOir (Spain)

Gádor Joya
Leader, Derecho a Vivir (Spain)

Dr. Máirtín O'Droma, BE, PhD, CEng, FIET, SMIEEE, MIEI
University of Limerick

Antoine Renard
President, Federation of Catholic Family associations in Europe (FAFCE)

Pawel Wosicki
President, Polish Federation of Pro-life Movements

Fredrick Haynesster
Family Solidarity, Ireland

Stanislav Trnovec, Ph. D.
President, Club of Large Families Slovakia

Jenő Radnai
Vice President, Hungarian Catholic Family Association

Thomas W. Jacobson
Executive Director, Global Life Campaign
President, International Diplomacy & Public Policy Center, LLC

Seán Ó Raghallaigh
Chairman, Monaghan Pro Life, Republic of Ireland

Gloria Grifo de Rodriguez
Fundación Vida y Familia, Argentina

Maria McFadden Maffucci
Human Life Review

Leon Benoit
Member of Parliament, Canada