



## **Brazil: Reject 'Fetal Rights' Bill** ***Measure Would Deter Pregnant Women From Seeking Medical Care***

(New York, May 21, 2010) – Brazil's Congress should protect women's dignity and human rights by rejecting a bill that confers extensive rights to fertilized ova, Human Rights Watch said today. The measure would give the rights of the fertilized ovum "absolute priority" under Brazilian law.

The proposed bill would require any act or omission that could in any way have a negative impact on a fertilized ovum to be considered illegal. The bill was voted favorably out of the Health and Social Security Commission of the Brazilian House of Representatives this week.

"To promote healthy pregnancies and births is a laudable goal and, indeed, one of Brazil's human rights obligations," said Marianne Mollmann, women's rights advocate at Human Rights Watch. "But this bill is likely to cause more harm than good by deterring pregnant women from seeking the care they may need because they are afraid to be turned over to the police."

Over the past year, a number of jurisdictions in Latin America have passed laws to confer some rights on fertilized ova. For example, in Mexico, a number of federal states have recently amended their constitutions to extend the protection of the right to life to "the conceived." Many of these laws specifically protect earlier legal exceptions for abortion in cases of rape, incest, or where the life or health of the pregnant woman is threatened.

Brazil's bill however goes further. For example, it extends the right to child support to ova that have been fertilized through rape, and seeks to give "absolute priority" to the rights of the fertilized ovum. This could lead to the criminalization of any act or omission thought to affect the fertilized ovum negatively, trumping the rights to life or health of any pregnant woman, Human Rights Watch said.

"The Brazilian government would do well to focus its attention on providing assistance to rape victims, adolescent mothers, and others who are vulnerable

and potentially unable to provide for themselves," Mollmann said. "This law does the absolute opposite by threatening to subject everything women do or do not do during a pregnancy to criminal investigation."

**For more Human Rights Watch reporting on reproductive health rights, please see:**

<http://www.hrw.org/en/category/topic/women%E2%80%99s-rights/reproductive-choices-and-sexual-autonomy>