

Additional Comments by the Australian Greens

Overview

1.1 The Australian Greens do not support sex selective abortion as it is indicative of entrenched gender inequality. However, we assert that restricting health services for women and restricting women's reproductive rights through this bill is not an appropriate or useful way to address that inequality. A woman's right to be treated equally and with dignity and respect must not be infringed by placing restrictions on abortion services.

Comments

1.2 The Australian Greens are extremely disappointed that the majority of the Committee did not put forward any recommendations on this bill. Analysing submissions and putting forward recommendations is a key purpose of the Senate Committee process.

1.3 Submissions from Reproductive Choice Australia and other organisations repeatedly emphasised that there is no evidence that this practice occurs in Australia or that Medicare is being used to fund such procedures. This is supported by looking at Australia's population figures.

1.4 Senator Madigan himself admits he has no evidence to suggest that sex selective abortions are systematically occurring in Australia. In countries where this does occur, such as China and India, there is clear gender-skewing in population numbers.

1.5 International human rights agreements support a women's right to control their own fertility. The Beijing Declaration affirms that 'the right of all women to control all aspects of their health, including their own fertility, is basic to their empowerment.' Further, the Convention on the Elimination of All Forms of Discrimination Against Women - Article 12 requires that measures be taken to ensure 'on a basis of equality of men and women, access to health care services, including those related to family planning.' Women's Health Victoria state in their submission that 'Restrictions on abortions restrict this access' and that restrictions on abortion jeopardise a women's right to choose if, when and how many children she will have.

1.6 Submissions which indicate they do not support the passage of the bill include: Women's Health Victoria, Public Health Association Australia, Australian Medical Association, Women's Centre for Health Matters, NSW Council for Civil Liberties, Children by Choice, Liberty Victoria, Women's Abortion Action Campaign, Women's Legal Services NSW, Women's Legal Services Australia, and Reproductive Choice Australia.

1.7 In the 2008 paper, "From Sorting Sperm to Sorting Society" Edgar Dahl noted that a follow-up study of 578 patients having prenatal diagnosis at one Melbourne clinic found that 'none of the women had a termination for foetal sex' and that in countries where social, religious or economic conditions do not support a preference

for male or female children, including USA, Britain and Australian, there is no evidence that such a preference exists.

1.8 There is also the practical question of how such a law would ever be enforced without risking the broader reproductive rights of Australian women.

1.9 Without any evidence for the practice, this bill is a waste of government time and is a red herring to allow Senator Madigan to promote his anti-abortion agenda. Senator Madigan and Democratic Labor Party are opposed to safe and legal abortion. This bill addresses a non-existent problem.

1.10 The large number of submissions from individuals in support of this bill, may do significant damage in raising fear and stigmatising women having an abortion without a basis in fact.

1.11 The Reproductive Choice Australia submission notes: 'The tactic of chipping away at women's reproductive rights by those who oppose safe abortion for any woman for any reason – under the guise of a feminist concern about the survival of female foetuses – is an anti-choice approach borrowed from the United States. In America, the accumulation of small "victories" from such unconscionable tactics has placed the reproductive autonomy of women in many US states under sustained and serious threat'.

1.12 The Australian Greens do not support sex selective abortion, as it is representative of entrenched gender inequality but there is no evidence that this practice is occurring in Australia.

Recommendation

1.13 That the Health Insurance Amendment (Medicare Funding for Certain Types of Abortion) Bill 2013 not be passed.

Senator Lee Rhiannon
Australian Greens spokesperson for Women
Senator for New South Wales

Senator Richard Di Natale
Senator for Victoria