

BELGIUM

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LEGISLATION

Law on termination of pregnancy 3 April 1990
National Evaluation Committee (Law of 13 August 1990)

GROUNDINGS/GESTATIONAL LIMITS

Abortion remains forbidden (art. 348, 350, 351, 352 of the Penal Code) but legal

Up to 12 weeks after conception (or 14 weeks after Last Menstrual Period):

- If the pregnancy causes a 'state of distress/emergency' for the woman (– the law does not define the state of distress/emergency)

No limit:

- 'Serious' risk to health of woman
- 'Extremely serious and incurable disease' of fetus

REGULATIONS/CONDITIONS

- Consultation with a doctor
- Compulsory waiting period (6 days)
- Compulsory counselling on alternatives to abortion (adoption, keeping the baby)
- Parental consent for minors is not mentioned in the law
- The opinion of a 2nd doctor is requested in case of 'serious' risks to health of the woman or if the fetus is judged to be suffering from an 'extremely serious or incurable disease'

COST

Since December 2001, abortion is reimbursed if performed in an abortion clinic that has signed an agreement with the national institute for social security (INAMI/RIZIV). The contribution women have to pay is very limited (€ 3,08 or US\$ 4).

Abortions performed in hospitals or one-day clinics are not fully reimbursed. Depending upon the setting, women have to pay:

- Hospitals (single room): € 75-225 (US\$ 97-290)
- One-day clinics or Family planning centers: € 32-70 (US\$ 41-90)

DISPARITY IN THE APPLICATION OF THE LAW:

COMMENTS:

- *The law is quite liberally interpreted. Most abortions are performed in abortion clinics (non-profit organisations)*