

## 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 2<sup>nd</sup> 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)*