

## DENMARK

Foreningen Sex & Samfund

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### LEGISLATION

Act No. 350, 13 June 1973. Amended through Law N° 389, 14 June 1995 and LBK No. 95 07/02/2008.

**FAROE ISLANDS:** Act No. 177, 23 June 1956. New bill in 1988

### GROUNDINGS/GESTATIONAL LIMITS

#### Up to 12 weeks:

- On request

#### Second trimester:

- Risk to life of woman
- Risk of 'severe deterioration of woman's physical or mental health'
- If pregnancy, childbirth or care of the child entails a risk of deterioration of the woman's health on account of an existing or potential physical or mental illness or as a consequence of other conditions
- Danger that the child will be affected by a serious physical or mental disorder
- Woman is incapable of giving proper care to a child due to physical or mental disorder
- If the woman is for the time being incapable of giving proper care to a child on account of the woman's youth or immaturity
- If it can be assumed that pregnancy, childbirth or care of a child constitutes a serious burden to the woman which cannot otherwise be averted
- When pregnancy resulted from a criminal act

#### FAROE ISLANDS:

#### Up to 16 weeks:

- Risk to life of woman
- In case of violation of sexual liberty
- Severe risk of fetal malformation

## **REGULATIONS/CONDITIONS**

- A woman has to apply for an abortion to a physician, to the community in Copenhagen or Frederiksberg or to the district. If it appears that the above mentioned conditions for a legal abortion are present, the physician/district/community will refer the woman to a hospital.
- The abortion may only be performed by a physician in a district hospital, a hospital that is a member of the Copenhagen Hospital Association, or a clinic attached to the hospital.
- There is one or more committees of four people within each district (and community of Copenhagen and Frederiksberg) to authorize abortions to minors; and to women who are not in a position to understand the significance of the procedure (on account of a mental disease, deficiency or seriously weakened health condition, or other reason). These committees also authorize abortions after 12 weeks of pregnancy;
- A woman does not need authorization, even after the 12th week of pregnancy, in case of risk to her life or to her physical or mental health.
- The risk to a woman's life or to her physical or mental health should be based solely or principally on circumstances of a medical character.
- Consent by the person exercising parental authority or the guardian is required for unmarried minors (under 18). Where this is justified by the circumstances, the committee may refrain from requiring the consent. Also, the committee may authorize an abortion even if the consent has been refused. The decision of the committee may be submitted to the board of appeal by the woman or the person exercising parental authority.
- Possibility of dispensation of parental consent for minors – e.g. in cases of religious minorities
- The woman is entitled to a counseling session before and after the abortion.
- The waiting period for abortion is 1 till 2 weeks for a hospital examination and the actual operation is performed a few days later.
- A health worker is entitled to choose not to perform abortion due to moral beliefs.

### **FAROE ISLANDS:**

- Parental consent required for minors (under 18)
- In case of marriage: consent required from the husband

## **COST**

None, part of the public health system

Since 2004 abortion for non-residents is allowed, but they have to pay for the abortion. Abortion for non-residents is not a part of the public health system.

### **FAROE ISLANDS:**

The woman stands in for all the costs

## **METHODS**

Until the end of 12<sup>th</sup> week the woman can choose between medical or surgical abortion. She decides on which methods in dialog with a physician.

Medical abortion is used until end of 8<sup>th</sup> week.

Surgical abortion is until end of 12<sup>th</sup> week.

Until 8<sup>th</sup> week most abortions are medical. However in general approx. 40% of all the abortions are medical and approx. 60% of all the abortions are surgical.

In second trimester, all women are giving birth to the fetus

## **DISPARITY IN THE APPLICATION OF THE LAW:**

### **COMMENTS:**

- *Local hospitals are obliged to receive all women wanting abortion up to the first trimester*
- *Since 2004 abortion for non-residents is allowed.*
- *There have been no major changes in the abortion legislation for many years. Though since 2004 private hospitals and clinics specialized in gynecology and obstetrics are allowed to perform abortions.*
- *The availability of contraceptive methods is high.*
- *The abortion rate has been stable for many years. However there is a slight growth in teen abortions. Moreover there are more abortions in urban than rural areas but the access to abortion is the same in all areas.*

### **FAROE ISLANDS**

- *If a woman wants an abortion for other reasons than the above mentioned she has to make an application to The National Council for the Unmarried Mother and Her Child*