

## ABORTION LAW OF JURISDICTIONS AROUND THE WORLD

See Key at the end of the document

| Country                               | Category of abortion law | Other details of law | Year law(s) / regulations changed<br>R = restricted<br>L = liberalised | Codes<br>Statutes<br>Decrees/orders  |
|---------------------------------------|--------------------------|----------------------|--|--|
| Afghanistan                           | 1                        | L                    | -  | Criminal Code of 7 October 1976, Chapter 4, arts 402 - 406   |
| Albania                               | 4                        | -                    | 1989 L<br>1991 L<br>1992 L<br>1995 L                                   | Order No. 1765 of 17 June 1989<br>Directive of 8 June 1991 of Ministry of Health<br><br>Law No. 8045 of 7 December 1995 on the interruption of pregnancy   |
| Algeria                               | 2                        | MH                   | 1976 L<br>1985 L   | Criminal Code of 8 June 1966, arts 304-313<br>Public Health Code (Ordinance No. 76-79 of 23 October 1976, arts 28 and 414)<br>Law on the Protection and Promotion of Public Health (Act No. 85-05 of 16 February 1985, art 72) |
| Andorra                               | 1                        | NE                   | -  | Penal Code of 11 July 1990, arts 185 - 188   |
| Angola                                | 1                        | NE                   | -  | Pre-1975 Portuguese Penal Code, arts 139 - 141   |
| Anguilla (British overseas territory) | 3                        | F                    | -  | Criminal Code as amended 15 December 2000 ss 183-185   |
| Antigua & Barbuda                     | 1                        | L                    | -  | Offences Against the Person Act 1873 cap 58, part IX, ss 53-54<br>Infant Life Preservation Act 1937  |
| Argentina                             | 2                        | R                    | 1984 L<br><br>2012 L   | Penal Code arts 85-88<br>Decree No. 3992/84 of 21 December 1984<br>Resolution No. 989/2005 of 9 August 2005 of Ministry of Health and Environment<br>F. 259. XLVI Supreme Court, March 2012                                    |
| Armenia                               | 4                        | -                    | See Russia before 1992   | Law on Reproductive Health and Reproductive Rights, 11 December 2002   |
| Aruba (Kingdom of the Netherlands)    | 1                        | -                    | -  | Penal code, arts 308-312   |
| Australia                             | 4                        | FS                   |  | Varies according to state  |

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|            |   |          |                        | <p>Australian Capital Territory: Crimes (Abolition of Offence of Abortion) Act No. 24 of 9 September 2002 and Medical Practitioners (Maternal Health) Amendment Act No. 26) of 9 September 2002</p> <p>New South Wales: Crimes Act 1900 arts 82 - 84, as amended 2003</p> <p>Northern Territory: Criminal Code Act 1900 arts 170 - 174, as amended 2003</p> <p>Queensland: Criminal Code 1899 ss 224-226, 282, 292, 294 and 313, as amended 2009</p> <p>South Australia: Criminal Law Consolidation Act 1935 ss 81 – 82A, as amended 2003</p> <p>Tasmania: Criminal Code (Amendment) Act (No. 2) 2001</p> <p>Victoria: Abortion Law Reform Act of 10 October 2008</p> <p>Western Australia: Law No. 15 of 26 May 1988 s 7(1)</p> <p><i>Abortion is decriminalised in ACT and Victoria</i></p> |
| Austria    | 4 | *        | 1974 L                 | <p>Penal Code ss 96-98</p> <p>Federal law No. 60 of 23 January 1974</p>   |
| Azerbaijan | 4 | -        | See Russia before 1992 | Law on protection of public health, 26 June 1999, as amended 25 March 2003  |
| Bahamas    | 2 | -        | -                      | Penal Code of 1924, ss 315, 330 and 334, as revised   |
| Bahrain    | 4 | -        | -                      | <p>Penal Code of 20 March 1976, arts 321-323</p> <p>Decree-Law No. 24 of 1977</p>   |
| Bangladesh | 1 | L        | -                      | <p>Penal Code of India (Act XLV) of 6 October 1860, ss 312-316</p> <p>1979 Menstrual regulation noted by Government not to come under Penal Code</p>  |
| Barbados   | 3 | PA/R/I/F | 1983 L                 | <p>Offences Against the Person Act 1868 ss 61 and 62</p> <p>Medical Termination of Pregnancy Act No. 4 of 11 February 1983 ss 4-14</p>  |
| Belarus    | 4 | -        | -                      | Law No. 363-W of 20 June 2008 on Amendments and Supplements to the Law of the Republic of Belarus on Health Care of 1993  |
| Belgium    | 4 | *        | 1990 L                 | <p>Penal Code of 1867, arts 348 and 350-352</p> <p>Law of 3 April 1990 on termination of pregnancy</p> <p>Law of 13 August 1991: National Evaluation Committee</p>  |
| Belize     | 3 | F        | 1980 L                 | Criminal Code, Ordinance No. 33 of 18 December 1980, ss 108-110   |
| Benin      | 2 | R/I/F    | 2003 L                 | <p>Penal Code, revised in 1958</p> <p>Code of Medical Ethics, Ordinance No. 73-14 of 8 February 1973</p> <p>Law No. 2003-04 of 24 January 2003 on Reproductive &amp; Sexual Health Ch 4, art 17</p>   |
| Bhutan     | 1 | R/I/+L   | 2004 L                 | Penal Code of 2004, arts 146 and 147  |
| Bolivia    | 2 | R/I      | -                      | Penal Code, the ordered text under Law No. 1768 of 10 March 1977, arts 263-269  |

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| Bosnia-Herzegovina                           | 4 | PA       |                                      | Law on the conditions and procedures for abortion, 20 March 2008  |
| Botswana                                     | 2 | R/I/F/MH | 1991 L                               | Penal Code of 1964<br>Penal Code (Amendment) Act of 11 October 1991   |
| Brazil                                       | 1 | R/L/+    | -                                    | Penal Code of 1940 arts 124 - 128<br>Decree Law of 3 October 1941, art 20<br>Law No. 6734 of 4 December 1979<br>Order No. 1058/GM of 1 September 2005 of Ministry of Health   |
| Brunei Darussalam                            | 1 | L        | -                                    | Penal Code arts 312-316   |
| Bulgaria                                     | 4 | -        | 1956 L<br>1968 R<br>1973 R<br>1990 L | Ministry of Public Health instructions of 27 April 1956<br>Decree No. 188<br>Decree No. 0-27<br>Decree No. 2 of 1 February 1990   |
| Burkina Faso                                 | 2 | R/I/F    | 1996 L                               | Penal Code Law No. 043/96/ADP of 13 November 1996 amending the Penal Code of 1984, arts 383 – 390<br>Law No. 049-2005 concerning reproductive health of 9 February 2006, Ch III, art 21   |
| Burundi                                      | 2 | -        | -                                    | Penal Code ss 353-357<br>Decree-Law No. 16 of 4 April 1981 s 357  |
| Cambodia                                     | 4 | *        | 1997 L                               | Royal Kram No. NS/SKM/0196/06 of 12 November 1997, art 8  |
| Cameroon                                     | 2 | R        | -                                    | Penal Code Ch V ss 337-339 of 12 June 1967 (English and French versions are not identical!)<br>Law No. 80-10 of July 1980   |
| Canada                                       | 4 | -        | 1988 L                               | 1892 Criminal Code s 251<br>Amendments to s 251 of Criminal Code, 28 August 1969<br><i>R v Morgentaler</i> 28 January 1988 (Supreme Court of Canada)<br>Canada Health Act 1984<br>1995 Access to Abortion Services Act<br><i>Abortion is decriminalised</i> |
| Cape Verde                                   | 4 | -        | 1986 L                               | Law of 31 December 1986   |
| Cayman Islands (British overseas territory)) | 1 | -        | -                                    | Penal Code, 2006 revision, arts 141-143   |
| Central African Rep.                         | 1 | NE       | -                                    | Penal Code, Law No. 61-239 of 18 July 1961, art 190   |
| Chad   | 2 | F        | 2002 L                               | Penal Code, Law No. 12-67 of 9 June 1967, art 296<br>Code of Medical Ethics, art 38<br>Law No. 006/PR/2002 of 15 April 2002 on the Promotion of Reproductive Health Ch 4, arts 14   |

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| Chile                      | 1 | x/NE     | 1931 L<br>1989 R           | Penal Code of 12 November 1874 ss 342-345<br>Health Code 1931<br>Health Code No. 725 of 1967<br>Law No. 18.826 of 24 August 1989 art 119  |
| China                      | 4 | S        | -                          | Regulations on Contraception and Abortion, August 1953<br>Criminal Code of 1 July 1979<br>Law on Maternal and Infant Health Care, 27 October 1994<br>China (Macao Special Administrative Region) Decree-Law No. 59/95/M of 27 November 1995<br>Hong Kong retains its Offences Against the Person (Amendment) Ordinance no. 13 of 12 February 1981: category 3 |
| Colombia                   | 2 | R/I/F/MH | 2006 L                     | Penal Code, promulgated by law 599 of 24 July 2000, arts 122-124<br>Case C-355/06 of 10 May 2006<br>Decree No. 4444 of 13 December 2006 of Ministry of Social Protection  |
| Comoros                    | 2 | -        | -                          | Penal Code: Act No. 82-03P/AF of 19 November 1982   |
| Congo (Brazzaville)        | 1 | NE       | -                          | Congolese abortion law is based on the Napoleonic Penal Code of 1810, s 317   |
| Cook Islands (New Zealand) | 2 | R        | -                          | Crimes Act 1969 ss 63 and 202 - 207   |
| Costa Rica                 | 2 | -        | -                          | Penal Code (Law No. 4573) of 4 May 1970 ss 118-122 and 381<br>Law No. 8250 of 2 May 2002  |
| Côte d'Ivoire              | 1 | L        | -                          | Penal Code: Law No. 81-640 of 31 July 1981 arts 366 - 369   |
| Croatia                    | 4 | PA       |                            | See Serbia  |
| Cuba                       | 4 | PA       | 1936 L<br>1965 L           | Social Defence Code of April 1936<br>Penal Code of 15 February 1979 Ch 6, arts 320-324<br>Penal Code (Act. No. 62) of 29 December 1987 arts 267-271   |
| Cyprus                     | 3 | R/F      | 1974 L<br>1986 L           | Criminal Code ss 167-169 and 169A<br>Law No. 59 of 1974<br>Law No. 186 of 1986  |
| Czech Republic             | 4 | PA       | 1950 L<br>1957 L<br>1986 L | Penal Code: Law No. 86/1950 ss 227-229<br>Law No. 68 of 19 December 1957<br>Laws 63 and 77 of 23 October 1986<br>Enactment of Czech Ministry of Health, No 11, 1993   |
| Dem People's Rep of        | 4 | -        | -                          | Criminal Code of March 1950   |

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| Korea                   |   |                |                                      |  |
| Dem Rep of Congo        | 1 | NE             | -                                    | Penal Code of 31 May 1982 ss 165 and 166   |
| Denmark                 | 4 | PA             | 1937 L<br>1956 L<br>1970 L<br>1973 L | Law No. 350 of 13 June 1973<br>Law No. 350 of 24 May 1989<br>Law No. 389 of 14 June 1995<br>Law No. 430 of 31 May 2000<br>Law No. 546 of 24 June 2005  |
| Djibouti                | 2 | -              | -                                    | Penal Code of 1995 ss 447 - 450  |
| Dominica                | 1 | L              | -                                    | Offences Against the Person Act 1873 ss 56-57  |
| Dominican Rep           | 1 | NE             | -                                    | Penal Code of 1948 s 317<br>Art 30 of Constitution revised 2009 giving right to life from conception   |
| Ecuador                 | 2 | R <sub>1</sub> | -                                    | Penal Code of 1983 ss 441-447<br>Constitution arts 24 and 25<br>Public Health Code of 14 December 2006   |
| Egypt                   | 1 | NE             | -                                    | Penal Code of 31 July 1937 ss 260-264  |
| El Salvador             | 1 | x/NE           | 1973 L<br>1997 R                     | 1973 Penal Code Ch 2, art 169<br>Decree No. 1030 of 26 April 1997, Ch II, arts 133-137   |
| Equatorial Guinea       | 2 | SA/PA          | 1991 L                               | Law No. 1/1991 of 4 April 1991   |
| Eritrea                 | 2 | -              | -                                    | Ethiopian Penal Code, Proclamation No. 158, of 1957 arts 528 – 536 (despite achieving independence in 1993)  |
| Estonia                 | 4 | -              | See Russia before 1992               | Changes as per former USSR prior to independence in 1992<br>Minor changes since by Decrees 930402 of 1992 and 930625 of 1993 of Ministry of Social Affairs<br>Termination of pregnancy and sterilisation Act of 25 November 1998 |
| Ethiopia                | 2 | R/I/F/+        | 2004 L                               | Penal Code of 1957 ss 528-535<br>Proclamation No. 414/2004 of 9 May 2005, arts 545-552<br>Technical and Procedural Guideline for Safe Abortion Services in Ethiopia, May 2006.   |
| Faroe Islands (Denmark) | 1 | F/L/R          |                                      | Law No. 177 of 23 June 1956  |
| Fiji                    | 3 | F/I/R          | 1976 L                               | Penal Code ss 172-174, cap 17<br><i>Emberson v Emberson</i> , Criminal Case No. 16 of 1976, Supreme Court of Fiji<br>Crimes Decree 2009, 4 November 2009   |
| Finland                 | 3 | R/F/+          | 1970 L                               | Law of 1 June 1950<br>Law No. 239 of 24 March 1970   |

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|         |   |                |                              | Law No. 564 of 19 July 1978<br>Law No. 572 of 12 July 1985<br>Law No. 328 of 6 April 2001<br>Law No. 374 of 29 May 2009   |
| France  | 4 | *              | 1975 L                       | Penal Code, art L2212-7<br>Law No. 75-17 of 18 January 1975<br>Law No. 79-1204 of 31 December 1979<br>Decree No. 80-285 of 17 April 1980<br>Law No. 82-1172 of 31 December 1982<br>Decree No. 88-59 of 18 January 1988<br>Circular 90-06 of 22 February 1990<br>Law No. 93-121 of 27 January 1993<br>Law No. 2001-588 of 4 July 2001<br>Decree No. 2002-796 of May 2002<br>Decree No. 2004-636 of 1 July 2004<br>Decree No. 2009-516 of May 2009<br>Circular No. 09-304 of October 2009<br>Decree No. 2013-248 of 25 March 2013 |
| Gabon   | 1 | NE             | -                            | Penal Code: Law No. 21-63 of 31 May 1963 arts 244 and 245   |
| Gambia  | 2 | MH             | -                            | Criminal Code of 1 October 1934 ss 140-142, 198-199   |
| Georgia | 4 | PA             | See Russia before 1992       | Changes as per former USSR prior to independence in 1992<br>Law of 21 July 2000 on healthcare and its provisions concerning abortion (Ch XXVIII, Family Planning, arts 139 and 140)   |
| Germany | 4 | *              | 1972 L (GDR)<br>1975 L (GFR) | Penal Code s 218 and 219<br>Act to Aid Pregnant Women and Families of 27 July 1992<br>Decision by Federal Constitutional Court 28 May 1993<br>Pregnant Women's and Family Aid (Amendment) Act of 21 August 1995   |
| Ghana   | 2 | R/I/F/MH/<br>+ | 1985 L                       | Criminal Code of 1960: Act 29, ss 58-59 and 67<br>Criminal Code (Amendment) Law No. 102 of 22 February 1985   |
| Greece  | 4 | PA             | 1978 L<br>1986 L             | Penal Code of 1950, art 305<br>Law No. 821 of 14 October 1978<br>Law No. 1609 of 28 June 1986 ss 2-5<br>Law No. 3418/2005   |

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| Grenada       | 2 | -        | -  | Criminal Code ss 234, 247 and 250   |
| Guatemala     | 1 | L        | 1973 L   | Penal Code 1973 arts 133-140<br>Congressional Decree 17-73<br>Constitution arts 3 and 47  |
| Guinea        | 2 | R/I/F    | 2000 L   | Penal Code of 1966, art 269<br>Law No. 2000/010/AN of 10 July 2000 adopting and promulgating the Law on Reproductive Health, Ch III, art 10   |
| Guinea-Bissau | 1 | NE       | -  | Portuguese law from 1886  |
| Guyana        | 4 | †        | 1995 L   | Medical Termination of Pregnancy Act No. 7 of 14 June 1995  |
| Haiti         | 1 | NE       | -  | Penal code art 262 (based on art 317 of Napoleonic Code of 1810)  |
| Honduras      | 1 | NE       | -  | Penal Code of 1996 arts 126 – 128 and 132<br>Fundamental Law with regard to the Association of Physicians of Honduras 1964<br>Decree 13-85 of 26 February 1985                            |
| Hungary       | 4 | -        | 1953 L<br>1956 L<br>1973 R<br>1988 L<br>1992 L<br>2000 R | Ordinance 3 of 23 July 1986<br>Act LXXXVII of 20 June 2000 amending Act LXXIX of 17 December 1992 on the Protection of Fetal Life   |
| Iceland       | 3 | R/I/F/+  | 1935 L<br>1975 L   | Law No. 38 of 1935<br>Law No. 25/1975 of 27 May 1975 on counselling and education concerning sex and childbirth and on termination of pregnancy and sterilisation                         |
| India         | 3 | PA/R/F   | 1971 L<br>2002 L   | Penal Code: Act XLV of 6 October 1860, ss 312 - 316<br>Medical Termination of Pregnancy Act No. 34 of 1971<br>Medical Termination of Pregnancy (Amendment) Act No. 64 of 18 December 2002 |
| Indonesia     | 1 | F/L/R/SA | 1992 L   | Criminal Code of 1 January 1918<br>Health Law 23/1992<br>Law No. 52 of 15 September 2009 on population growth and development of the family, art 75                                       |
| Iran          | 1 | F/L      | 1976 L<br>1979 R<br>2005 L                               | Civil Penal Code on abortion and sterilisation of 28 October 1976, art 42, s 3<br>Law on Islamic Penalties, Law No. 586 of 1991<br>Law of 15 June 2005                                    |
| Iraq          | 1 | NE       | -  | Penal Code of 19 August 1969 arts 417 - 419   |

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| Ireland    | 1 | L              | -                         | Offences Against the Persons Act 1861<br>Eighth Amendment of the Irish Constitution Act 1983, art 40.3.3<br><i>Attorney General v X</i> 1992<br>Regulation of Information (Services outside the State for Termination of Pregnancies) Act 1995<br>Protection of Life during Pregnancy Act No. 35 of 30 July 2013  |
| Israel     | 2 | R/I/F/+/M<br>H | 1977 L<br>1979 R          | Penal Law 5737-1977 of 1994<br>Criminal Law Amendment (Interruption of Pregnancy) of 31 January 1977  |
| Italy      | 4 | PA/§           | 1978 L                    | Law No. 194 of 22 May 1978 ss 1-22  |
| Jamaica    | 2 | PA/MH          | -                         | Offences Against the Person Act 1864 ss 72 and 73   |
| Japan      | 3 | SA/R           | 1948 L                    | Criminal Code of 1908<br>Maternal Protection Law No. 105 of 26 June 1996 revising Eugenic Protection Act, Law No. 156 of 1948   |
| Jordan     | 2 | -              | -                         | Penal Code: Law No. 16 of 1960<br>Public Health Law No. 20 of 1971 s 62(a)  |
| Kazakhstan | 4 | -              | See Russia<br>before 1992 | Changes as per former USSR prior to independence in 1992<br>Order 620 of Ministry of Health, December 1996<br>Order 687 of Ministry of Health, July 2001<br>Law on reproductive rights, June 2004<br>Law on Health, 29 September 2009   |
| Kenya      | 2 | -              | 2010 L                    | <i>Mehar Singh Bansel v R</i> 1959<br>Penal Code, as amended in 2009, cap 63, ss 158-160, 228 and 240<br>Constitution 2010, art 26 (2) and (4)  |
| Kiribati   | 1 | L              | -                         | Penal Code of 1965  |
| Kuwait     | 2 | SA/PA/F        | 1981 L                    | Penal Code: Law No. 16 of 2 June 1960<br>Law No. 25 of 1981 s 12<br>Ministerial Decree No. 55 of 1984   |
| Krygyzstan | 4 | -              | See Russia<br>before 1992 | Changes as per former USSR prior to independence in 1992<br>Order No. 249 of Ministry of Health of 20 October 1998<br>Order No. 167 of Ministry of Health of 10 July 2002<br>Law No. 147 of 10 August 2007 on reproductive rights and guarantees of their realization<br>Law about Health Care art 37 of 17 April 2009<br>Order No. 618 of Ministry of Health of 24 August 2009 |



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|---------------|---|----------|----------------------------------|---|
| Laos          | 1 | NE       | -                                | Criminal Code of 1990   |
| Latvia        | 4 | PA       | See Russia before 1992<br>2002 R | Changes as per former USSR prior to independence in 1992<br>1993 Regulation of Ministry of Welfare<br>Sexual and Reproductive Health Law of 31 January 2002 as amended by law of 29 January 2004<br>Cabinet Regulation No. 590 of 28 October 2003 |
| Lebanon       | 1 | L        | -                                | Penal Code of 1 March 1943, arts 539-546<br>Presidential Decree No. 13187 of 20 October 1969  |
| Lesotho       | 1 | NE       | -                                | Lesotho has no statutory abortion law. Abortion is governed by the principles of Roman-Dutch common law under which an abortion is generally considered to be illegal unless performed to save the life of the pregnant woman.                    |
| Liberia       | 2 | R/I/F/MH | -                                | Penal Law of 3 April 1978 s 16.3  |
| Libya         | 1 | PA/L     | -                                | Penal Code of 1953<br>Health Law No. 106/1973<br>Law No. 17 of 3 November 1986  |
| Liechtenstein | 2 | +        | 2005 L                           | Penal Code of 24 June 1987<br>Law of November 2005  |
| Lithuania     | 4 | -        | See Russia before 1992           | Changes as per former USSR prior to independence in 1992<br>Order No. 50 of 28 January 1994 of the Ministry of Health on abortion procedures  |
| Luxembourg    | 4 | PA/R/F   | 1978 L<br>2012 L                 | Penal Code Act ss 348 - 353<br>Law of 15 November 1978 on sexual information, illegal abortion and termination of pregnancies<br>Law of 22 November 2012  |
| Macedonia     | 4 | PA       | 2013 R                           | Law on Termination of Pregnancy, June 1972; amended May 1976<br>Law on Termination of Pregnancy of 10 June 2013   |
| Madagascar    | 1 | NE       | -                                | Penal Code art 317<br>Decree No. 98-945 of 4 December 1998 setting forth the Code of Medical Ethics   |
| Malawi        | 1 | L        | -                                | Penal Code of 1930 chs XIV – XXII, ss 149-151, 231 and 243  |
| Malaysia      | 2 | MH       | 1989 L                           | Penal Code of 1997, ch XVI, Act 727 ss 312 – 315 (derived from Indian Penal Code 1871)<br>Penal Code (Amendment) Act No. A727 of 19 April 1989  |
| Maldives      | 2 | SA/U     | -                                |   |
| Mali          | 1 | L/I/R    | 2002 L                           | Penal Code: Law No. 01-019 of 20 August 2001, arts 211 - 213<br>Law No. 02-44 of 24 June 2002 on Reproductive Health, art 13  |

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| Malta            | 1                            | x/NE             | -                      | Criminal Code of 2003, arts 241-243A  |
| Marshall Islands | 1                            | NE/U             | -                      | Marshall Islands Revised Code does not mention abortion.  |
| Mauritania       | 1                            | NE               | -                      | Penal Code (Ordinance No. 83-162), 9 July 1983  |
| Mauritius        | 2                            | F/MH/PA/<br>xx/R | -                      | Penal Code derived both from Napoleonic Code of 1810 and Offences Against the Persons Act 1861 s 235  |
| Mexico           | 1<br>(4 in Federal District) | FS/R/F/L         | -                      | Penal Code, Decree No. 165, as amended in 2009<br>Criminal Code for the Federal District (= Mexico City): Decree of 2 January 1931, arts 329-334<br>Federal District Decree of 26 April 2007                                |
| Micronesia       | 1                            | NE/U             | -                      |   |
| Moldova          | 4                            | -                | See Russia before 1992 | Changes as per former USSR prior to independence in 1992<br>Law No. 411 of 28 March 1995 art 32<br>Law No. 185-XV of 24 May 2001<br>Order No. 647 of 21 September 2010, arts 19, 36 and 37<br>Order No. 482 of 14 June 2011 |
| Monaco           | 2                            | R/F/I/xx         | 2009 L                 | Criminal Code: Law No.829 of 28 September 1967<br>Law No. 1359 of 20 April 2009 creating a Center for prenatal coordination and family support and amending Art 248 of the Penal Code and Art 323 of the Civil Code         |
| Mongolia         | 4                            | -                | 1989 L                 | Criminal Code of 1960, as amended in 1986<br>Decree No. 200 of 23 December 1989. Amendment to the Health Protection Law, para 56<br>Health Law of Mongolia 1998, art 36   |
| Montenegro       | 4                            | PA               |                        | Law on the conditions and procedures for abortion, 27 July 2009   |
| Morocco          | 2                            | SA               | 1967 L                 | Penal Code of 26 November 1962 arts 449 - 458<br>Royal Decree No. 181-66 of 1 July 1967   |
| Mozambique       | 2                            | -                | 1981 L                 | Portuguese Criminal Code: Decree of 16 September 1886, as amended<br>Ministry of Health Decree of 1981  |
| Myanmar          | 1                            | L                | -                      | Penal Code arts 312 - 316   |
| Namibia          | 2                            | R/I/F/MH         | -                      | South African Abortion and Sterilization Act 1975<br>Act 48 of 1982   |
| Nauru            | 2                            | MH               | -                      | Based on law of Queensland, Australia<br>Criminal Code Act of 1899 ss 224-226 and 282   |
| Nepal            | 4                            | S                | 2002 L                 | Country Code (Penal Code) No. 28, revised in 1963, ch 10, nos. 28 – 28(b)<br>Country Code (11 <sup>th</sup> Amendment) Act on Women's Rights of 26 September 2002<br><i>Lakshmi Dhikta v Nepal</i> 2009                     |

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| Netherlands                 | 4 | -        | 1981 L                     | Penal Code of 1886, art 296<br>Termination of Pregnancy Law of 1 May 1981<br>Decree of 17 May 1984  |
| New Zealand                 | 2 | I/F/MH   | 1977 L                     | Crimes Act 1961 ss 182-187A<br>Contraception, Sterilization and Abortion Act (No. 112) 1977<br>Crimes Amendment Acts of 1977 and 1978   |
| Nicaragua                   | 1 | x/NE     | 2006 R                     | Penal Code<br>Law No. 641, Penal Code, 16 November 2007 ch 11, arts 143 - 145   |
| Niger                       | 2 | F        | 2006 L                     | Penal Code of 15 July 1961: Law No. 61-27, art 295<br>Law of 24 May 2006 on reproductive health   |
| Nigeria                     | 1 | L        | -                          | Northern part: Penal Code revised 1990, ch 345, arts 232 - 236<br>Southern part: Criminal Code of 1916, revised 1990, arts 228 – 230, 297, 309 and 328  |
| Niue                        | 2 | -        | -                          | Based on law of Cook Islands<br>Niue Act 1966   |
| Norway (including Svalbard) | 4 | PA       | 1964 L<br>1975 L<br>1978 L | Law No. 50 of 13 June 1975<br>Law 66, ss 1-4 of 16 June 1978  |
| Oman                        | 1 | L        | -                          | Penal Code of 16 February 1974 (Law No. 7/1974) arts 242 - 246  |
| Pakistan                    | 2 | -        | -                          | Penal Code of India (Act XLV) of 6 October 1860, ss 312-316<br>Criminal Law Ordinance VII s 338 of 5 September 1990   |
| Palau                       | 1 | U        | -                          | Similar position to Marshall Islands<br>Republic of Palau National Code.  |
| Panama                      | 1 | PA/R/F/L | -                          | Penal Code of 22 September 1982<br>Ministry of Health Resolution No. 02007 of 2 August 1988<br>Ministry of Health Resolution No. 1 of 21 April 1989<br>Law No. 14 of 18 May 2007, the Penal Code                  |
| Papua New Guinea            | 1 | L        | -                          | Criminal Code: Ordinance No. 7 of 1902  |
| Paraguay                    | 1 | L        | -                          | Penal Code: Law No. 1160/97 of 26 November 1997<br>Law No. 3440 of 16 July 2008   |
| Peru                        | 2 | -        | 1969 L                     | Criminal Code of 11 January 1924 as amended in 1991, arts 114 - 120<br>Health Code of 18 March 1969 arts 19-23<br>Legislative Decree 121 of 12 June 1981 s 21<br>Penal Code of 3 April 1991 ch 11, arts 114 - 120 |

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| Philippines   | 1 | NE       | -  | Spanish Penal Code, Royal Decree of 4 September 1884<br>Revised Penal Code of 8 December 1930 (Act 3815) as amended arts 256 - 259<br>Constitution of 1987, art 11 section 12  |
| Poland        | 2 | PA/R/I/F | 1932 L<br>1956 L<br>1990 R<br>1993 R<br><br>1996 L<br>1997 R | Abortion Act of 27 April 1956<br><br>Law of 7 January 1993 on Family Planning, Protection of the Human Fetus and Conditions for Termination of Pregnancy<br>Act of 30 August 1996<br>Amendment to 1993 law, 23 December 1997 art 4a.1 (1-3)<br>Penal Code 1999 |
| Portugal      | 4 | PA/‡     | 1984 L<br><br>2007 L   | Criminal code of 16 September 1886<br>Law No. 6/84 of 11 May 1984, ss 139-141<br>Law No. 90/97 of 30 July 1997<br>Law No. 16/2007 of 17 April 2007   |
| Puerto Rico   | 4 | -        | 1973 L   | Penal Code 1937<br><i>Roe v Wade</i> US colony: US Supreme Court overrules Supreme Court of Puerto Rico  |
| Qatar         | 2 | F        | -  | Penal Code of 25 August 1975 arts 170 - 174<br>Law No. 2/1983<br>Law No. 3/1983  |
| Rep. of Korea | 2 | SA/R/I/F | 1973 L   | Criminal Code of 1953 ss 269 and 270<br>Maternal and Child Health Law of 10 May 1973<br>Mother-Child Health Act of 10 May 1986   |
| Romania       | 4 | *        | 1957 L<br>1966 R<br>1984 R<br>1985 R<br>1989 L               | Decree 411 of 26 December 1985<br>Ministry of Health Order 605/28.12.89 of 27 December 1989<br>Law No. 140 of 5 November 1996, art 185<br>Penal Code, 17 July 2009 art 201   |
| Russia        | 4 | -        | 1920 L<br>1936 R<br>1955 L                                   | Criminal Code 1996<br><br>Decree of 23 November 1955 (former USSR)   |

|                             |   |          |  |  |
|-----------------------------|---|----------|--|--|
|                             |   |          | 1982 L<br>1987 L<br><br>2003 R<br>2007 R<br><br>2011 R<br>2012 R | Law No. 324 of 1982 (former USSR)<br>Order of 31 December 1987<br>Law No. 5487-1 art 36 of 22 July 1993<br>Decree No. 485 of 11 August 2003<br>Decree No. 335 of 2007<br>Decree No. 736 of 2007<br>Public Health Care Law No. 323-FZ of 21 November 2011, arts 56 and 70(3)<br>Government Decree No. 98 of 6 February 2012 |
| Rwanda                      | 2 | +/I/R    | 1977 L   | Penal Code: Law 21-77 of 18 August 1977 ss 325 - 328<br>Law No. 27/2001 of 20 April 2001 on the rights of and protection of children against violence<br>Organic Law No. 01/2012/OL of 2 May 2012 ch III s 5 arts 162 - 168  |
| St Kitts & Nevis            | 2 | MH       | -  | Offences Against the Person Act 1861   |
| St Lucia                    | 2 | R/I/MH   | 2004 L   | Criminal Code 1992, arts 117-119<br>Revised Criminal Code of 2004 arts 164-166   |
| St Vincent & the Grenadines | 3 | R/I/F    | -  | Criminal Code: Act no. 23 of 6 October 1988 ss 149 - 151   |
| Samoa                       | 2 | -        | -  | Crimes Ordinance of 1961 s 73A, as amended by the Crimes Amendment Act 1969  |
| San Marino                  | 1 | -        | -  | Penal Code arts 153 and 154  |
| São Tomé & Príncipe         | 1 | NE       | -  | Portuguese Penal Code of 1886  |
| Saudi Arabia                | 2 | SA/PA    | -  | General Islamic principles<br>Rules of Implementation for Regulations of the Practice of Medicine and Dentistry,<br>Ministerial Resolution No. 218/17/L of 26 June 1989, art 24  |
| Senegal                     | 1 | NE       | -  | Criminal Code based on Napoleonic Code and French decree of 1939, art 305<br>Basic Law No. 65-60 of 21 July 1965 ch 1 s II arts 305 and 305 bis  |
| Serbia                      | 4 | PA       | 1952 L<br>1969 L<br>1974 L<br>1978 L                             | Criminal Code<br>Law of 21 February 1978 (former Yugoslavia)<br>1995 Law on Conditions and Procedures for Induced Abortion in Health Care Institutions<br>(former Yugoslavia)  |
| Seychelles                  | 2 | R/I/F/MH | 1981 L<br>1994 L   | Termination of Pregnancy Act 1981<br>Act No. 6 of 3 June 1994  |
| Sierra Leone                | 2 | MH       | -  | Offences Against the Person Act 1861   |
| Singapore                   | 4 | ***      | 1969 L   | Penal Code, ch 119, ss 312-316<br>Abortion Act of 29 December 1969   |

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|-----------------|---|----------|--------------------------------|--|
|                 |   |          | 1974 L                         | Act No. 24 of 1974<br>Act No. 12 of 1980   |
| Slovakia        | 4 | PA       | 1957 L<br>1986 L<br><br>2004 R | Changes as per former Czechoslovakia prior to independence in 1993<br>Law No. 73 of 23 October 1986<br>Law No. 419/1991<br>Law No. 576/2004<br>Law No. 345/2009  |
| Slovenia        | 4 | PA       | 1977 L                         | Criminal Code<br>Law of 21 February 1978 of the former Yugoslavia  |
| Solomon Islands | 1 | L        | -                              | Penal Code of 1963: Ch 26 of the 1996 Revised Laws of the Solomon Islands  |
| Somalia         | 1 | NE/U     | -                              |  |
| South Africa    | 4 | -        | 1975 L<br>1996 L<br>2008 L     | Abortion and Sterilization Act No. 2 of 1975<br>Choice on Termination of Pregnancy Act 1996, Act No.92 art 2<br>Choice on Termination of Pregnancy Amendment Act (Act No. 1 of 2008), 17 February 2008.                                      |
| Spain           | 4 | PA/*     | 1985 L<br><br><br><br>2010 L   | Penal Code art 417<br>Organic Law No. 9 of 5 July 1985<br>Order of the Ministry of Health of 16 June 1986<br>Crown Decree No. 2409/1986 of 21 November 1986<br>Organic Law 10/1995 of 23 November 1995<br>Organic Law 2/2010 of 4 March 2010 |
| Sri Lanka       | 1 | L        | -                              | Penal Code of 1883 ch XVI arts 303 - 307   |
| Sudan           | 1 | R/L      | -                              | Penal Code as amended in 1991 arts 135 - 137   |
| Suriname        | 1 | NE       | -                              | Criminal Code  |
| Swaziland       | 2 | R/I/F/MH | 2005 L                         | Constitution of 26 July 2005   |
| Sweden          | 4 | **       | 1938 L<br>1946 L<br>1974 L     | Abortion Act 1938<br><br>Abortion Act No. 595 of 14 June 1974<br>Act No. 660/1995<br>Act No. 998/2007  |
| Switzerland     | 4 | -        | 2002 L                         | Penal Code of January 1942 arts 118-121<br>Amendment of art 119(2) of the Penal Code of 23 March 2001; referendum 2 June 2002; came into force 10 October 2002   |

|                   |   |           |                        |   |
|-------------------|---|-----------|------------------------|---|
| Syria             | 1 | SA/PA/L   | -                      | Penal Code. Legislative Decree No. 148 of 22 June 1949  |
| Taiwan            | 3 | SA/PA/I/F |                        | Eugenics and Health Care Act 1984   |
| Tajikistan        | 4 | -         | See Russia before 1992 | Changes as per former USSR prior to independence in 1992<br>Law No. 179 of 15 May 1997<br>Order No. 121 of Ministry of Health of 28 April 2000<br>Law No. 72 of 2 December 2002<br>Law No. 532 of 19 May 2009<br>Order No. 204 of 21 April 2011 |
| Tanzania          | 1 | L         | -                      | Penal Code of 1945, ch 16 ss 150-152, 219 and 230, revised 2002   |
| Thailand          | 2 | R/F/MH    | -                      | Penal Code BE2499 of 13 November 1956 Title X ch 3 ss 301-305<br>Thai Medical Council's Regulation on Criteria for Performing Therapeutic Termination of Pregnancy in Accordance with s 305 of the Penal Code, 15 December 2005                 |
| Timor-Leste       | 1 | L         | 2009 L<br>2009 R       | Penal Code, 3 March 2009 art 141<br>Law No. 6/2009 3 July 2009  |
| Togo              | 2 | R/I/F     | 2007 L                 | Criminal Code of Togo, Law No. 80-1 of 13 August 1981<br>Law No. 2007-005 of 10 January 2007 on Reproductive Health art 42  |
| Tonga             | 1 | -         | -                      | Criminal Offences Act ss 103-105  |
| Trinidad & Tobago | 2 | MH        | -                      | Offences Against the Person Act of 3 April 1925   |
| Tunisia           | 4 | -         | 1965 L<br>1973 L       | Legislative Decrees of 1920 and 1940<br>Law No. 65-24 of 1 July 1965<br>Penal Code of 1973 art 214  |
| Turkey            | 4 | SA/PA/‡   | 1965L<br>1983 L        | Penal Code of 1 March 1936<br>First Population Planning Law of 1965<br>Second Population Planning Law of 24 May 1983: Law no. 2827 ss 5 and 6<br>Ordinance No. 83/7395 of 14 November 1983  |
| Turkmenistan      | 4 | -         | -                      | Changes as per former USSR prior to independence in 1992<br>No changes since  |
| Tuvalu            | 1 | L         | -                      | Penal Code of 18 October 1865 ss 150-152, 214 and 227   |
| Uganda            | 1 | L         | -                      | Penal Code Act of 15 June 1950 ss 136-138, 205 and 217<br>Constitution 1995, art 22(2)<br>Penal Code Amendment Act 2007, ss 141 – 143, 212 and 224  |
| Ukraine           | 4 | -         | -                      | Changes as per former USSR prior to independence in 1992<br>Law No. 2801-XII of 19 November 1992  |

|                          |   |         |  |  |
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|                          |   |         |  | Order No. 111 of Ministry of Health of 28 June 1994<br>Order No. 192 of Ministry of Health of 5 May 2003<br>Decree No. 144 of 15 February 2006<br>Order No. 508 of Ministry of Health of 20 July 2006<br>Order No. 1177 of Ministry of Health of 31 December 2010  |
| United Arab Emirates     | 1 | SA/PA/L | 1975 L   | Penal Code of 20 December 1987<br>Law No. 7 of 1975 on the practice of medicine  |
| United Kingdom           | 3 | F       | 1937 L<br>1967 L                               | Offences Against the Person Act 1861 ss 58 and 59 (does not apply in Scotland)<br><i>R v Bourne</i> 1937<br>Abortion Act of 27 October 1967 (does not apply in Northern Ireland)<br>Human Fertilisation & Embryology Act of 24 April 1990 s 37<br>The law in Northern Ireland rests on the case law of <i>R v Bourne</i> and some later cases = Category 3<br>Crown Dependencies included here, although strictly not part of the UK: Guernsey and Jersey = Category 4, Isle of Man = Category 3 |
| United States of America | 4 | FS/PA   | 1973 L<br>1976 R<br>1992 R<br>2003 R<br>2007 R | <i>Roe v Wade</i> 1973; <i>Doe v Bolton</i> 1973<br><i>Planned Parenthood of Central Missouri v Danforth</i> 1976<br><i>Planned Parenthood of Southeastern Pennsylvania v Casey</i> 1992<br>Partial-Birth Abortion Ban Act 2003<br><i>Gonzales v Carhart</i> 2007<br>States also have their own laws.  |
| Uruguay                  | 4 | PA      | 2012 L   | Criminal Code of 4 December 1933 as amended, arts 325-328<br>Law No. 9763 of 28 January 1938<br>Order No. 369 of 6 August 2004 of Ministry of Public Health<br>Law 1699/2012 of 9 October 2012   |
| Uzbekistan               | 4 | -       | See Russia before 1992                         | Changes as per former USSR prior to independence in 1992<br>Order 500 of 15 September 1992<br>Orders 721 and 722 of 29 October 1996  |
| Vanuatu                  | 2 | -       | -  | Penal Code: Act No. 17 of 7 August 1981 ss 113 and 117   |
| Venezuela                | 1 | L       | -  | Criminal Code of 2 June 1964<br>Code of Medical Ethics of 1971   |
| Vietnam                  | 4 | -       | 1975 L   | 1986 Criminal Code<br>Law on the Protection of Public Health of 30 June 1989, ch VII art 44  |



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|---------------------|-------------|----------|--------|--|
|                     |             |          |        | Penal Code Law No. 15/1999/QH10 ch XVII art 243, 1999  |
| Virgin Islands (UK) | 2           |          |        | Offences Against the Person Act of 10 April 1873 ss 53 and 54  |
| West Bank/Gaza      | 1           | L/U      | -      |  |
| Western Sahara      | Unavailable |          |        |  |
| Yemen               | 1           | L        | -      | Islamic principles   |
| Zambia              | 3           | F        | -      | Penal Code of 1 November 1931<br>Termination of Pregnancy Act No. 26 of 13 October 1972  |
| Zimbabwe            | 2           | R/I/F/xx | 1977 L | Termination of Pregnancy Act No. 29 of 1977, Ch 15:10<br>Criminal Law (Codification and Reform) Act (Act No. 23 of 2004), 2004 |

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**Key:**

*Column 2*

1. To save the woman's life or prohibited altogether
2. To preserve health
3. Socioeconomic grounds
4. Without restriction as to reason
5. Unavailable

*Column 3*

R abortion permitted in cases of rape

R<sub>1</sub> abortion permitted in the case of rape of a woman with learning disability or psychosis

I abortion permitted in cases of incest

F abortion permitted in cases of fetal impairment

SA spousal authorisation required

PA parental authorisation/notification required

+ abortion permitted on additional enumerated grounds relating to such factors as the woman's age or capacity to care for a child

S sex selection abortion prohibited

x legislation eliminated all exceptions to prohibition on abortion; availability of defence of necessity highly unlikely

xx legislation explicitly permits abortion only to protect the physical health of the woman

U law unclear

FS federal system: abortion law determined by states. In Australia and Mexico, state laws fall into different categories of restrictiveness. Classification reflects law affecting largest number of people

MH recognises an exception to preserve a woman's mental health

L abortion explicitly permitted to save a woman's life

NE law does not make an explicit exception to save a woman's life. Such laws are normally interpreted to permit life-saving abortions under the defence of necessity

Gestational limits: † = 8 weeks; ‡ = 10 weeks; § = 90 days; \* = 14 weeks; \*\* = 18 weeks; \*\*\* = 24 weeks

