



June 1, 2020

Mr. Ahmed Shaheed  
UN Special Rapporteur on Freedom of Religion or Belief  
Office of the High Commissioner for Human Rights  
United Nations at Geneva  
8-14 avenue de la Paix  
CH-1211 Geneva 10  
Switzerland

**Re: Call for Submissions: Report to the United Nations General Assembly on Eliminating Intolerance and Discrimination Based on Religion or Belief and the Achievement of Sustainable Development Goal 16 (SDG 16)**

Esteemed Mr. Ahmed Shaheed,

It is with great disappointment that we read your latest report's suggestion that religious individuals support for policies and legislation that limit abortion can be considered a form of harmful conduct. Even more distressing is the possibility, raised in the report, that conscience protections for healthcare providers and professionals who object to performing abortions or making referrals for abortion, are inconsistent with gender equality.

There is an ongoing clash between the abortion industry and medical providers and health professionals. The abortion industry is a global industry, subsidized heavily by governments. But it is short on manpower. Quite understandably, many doctors, trained in the art of saving lives are unwilling to be complicit in depriving a child in the womb of their life through abortion. This is a problem often discussed in the abortion industry.

The abortion industry is desperately seeking to force doctors to become complicit in abortion as a result. We urge you not to take their side in this debate.

Sadly, the same governments and powerful global entities that subsidize the abortion industry are attempting to force doctors and medical providers into performing and referring for abortions against their conscience. They have been successful in capturing parts of the United Nations framework.

In chapter 8 on abortion, *The Inter-Agency Field Manual on Reproductive Health in Humanitarian Settings* goes as far as stating that healthcare providers and personnel, even those who conscientiously object to performing abortions on religious or moral grounds, must provide referrals for abortion, against their conscience (p.148). This continues a

trend of opinions published by the Office of the High Commissioner for Human Rights that has relativized and eroded the conscience rights of medical providers.

We urge you to take the opportunity of this consultation on social inclusion to amend your views on this matter and recognize the conscience rights of doctors, nurses, midwives, and medical providers and health professionals overall under Article 18 of the International Covenant on Civil and Political Rights. Unless all healthcare providers and professionals are able to exercise their profession according to their conscience they will be increasingly excluded from society in violation of their right to freedom of thought, conscience, and religion.

The effects of eroding and undermining conscience rights on social inclusion will be profound. It is no secret that many religious healthcare providers and professionals find abortion morally repugnant. Shutting religious providers and professionals out of international development, humanitarian, and health programming would not just have a negative effect on the social inclusion of religious and faith-based groups. It would profoundly harm the social fabric of already vulnerable societies.

According to some estimates over 50% of all healthcare provided in least-developed and developing countries is provided by religious healthcare providers. In humanitarian settings, where religious and faith-based groups are usually the first on the ground, and the only continuous presence before, during, and after a humanitarian situation has ended, the effect of their work is even more essential.

We also urge you to consider the importance of recognizing the inclusion of children in the womb as human rights subjects, consistent with the understanding of the Universal Declaration of Human Rights and the binding treaties that have germinated from it, that all members of the human family are equally entitled to protection.

Abortion is the ultimate form of social exclusion. It allows mothers and fathers to completely exclude their own family members. It suppresses the voice of innocent members of the human family before it is ever even heard in a family or in society.

Nothing in the text and history of binding international treaties suggest that children in the womb are excluded from the right to life. On the contrary, several states expressed their understanding that children in the womb are presumptively protected by international law as members of the human family at the time treaties were negotiated.

We urge you to chose your viewpoints carefully in this matter to protect the integrity of international law and your office. If you take sides with the abortion industry and protect their interests in this debate you will have forfeited all authority to protect religious freedom and to advance social inclusion.

Thank you for your kind attention,

A handwritten signature in black ink that reads "Stefano Gennarini". The script is cursive and fluid.

Stefano Gennarini  
Vice-President for Legal Studies