

ORDRE DES
AVOCATS
DE PARIS

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

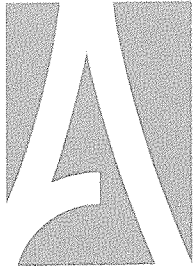
Paris, february, 17th 2012

Dear President Obama,

As the U.N. Special rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover also stated in his interim report (A/66/254) that “while the psychological impact of seeking an illegal abortion or carrying an unwanted pregnancy to term is well documented, no corresponding evidence supports the existence of long-term mental health sequelae resulting from elective abortion.”

The right for girls and women to receive a termination of pregnancy in the case of rape in armed conflict has just recently been reaffirmed by the country of Norway, in particular in the scoping paper on “Sexual Violence in Conflict” by the Norwegian Development Agency, Norad. The paper states that “women who are raped and impregnated in situations of armed conflict have increased rates of mortality and risk of resorting to unsafe methods of abortion. States have an obligation to provide non-discriminatory medical care to the wounded and sick under common Article 3 of the Geneva Conventions, Additional Protocols I and II and customary international law”.

Furthermore, the scoping paper particularly singles out the current U.S. abortion restrictions for causing the routine denial of crucially needed abortions for female rape victims. Currently, the U.S. places blanket abortion restrictions on all its foreign assistance, including humanitarian aid. These U.S. restrictions contain no exceptions for rape not even to save the life of the woman. We are particularly concerned about the manner in which this U.S. “no abortion policy” on foreign assistance to foreign governments, NGOs, and humanitarian aid provides impacts French humanitarian assistance. France funds many of the same organizations as the United States (for example the International Committee of the Red Cross) and when French and U.S. funds are commingled by organizations, the U.S. restrictions also censor French funds for abortion services.



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For this reason we urge you to issue an Executive Order lifting all current U.S. abortion restrictions thus allowing girls and women to receive a termination of pregnancy resulting from rape in armed conflict.

For us it is also irritating that under national U.S. laws a girl or woman being impregnated by rape is entitled to receive a termination of pregnancy, however for a girl in a crisis setting, like the Democratic Republic of Congo where rape is being used as a systematic weapon of war, the same treatment is hindered by the current U.S. restrictions. Humanitarian aid is meant to relieve suffering and cannot be limited when it comes to medical care outside of the U.S.

We applaud your recent issuance of the Executive Order on Women, Peace and Security on December 19th, 2011 which commits to provide “safe, equitable access to humanitarian assistance” for women and girls in armed conflict. We now hope that you will follow through with this commitment by bringing relief to one of the most vulnerable victims of war.

The United States has a long history in combating human rights abuses and ensuring compliance with international law. The time has come to take on that leadership role again.

Respectfully yours,

Yvon Martinet
Vice Bâtonnier

Christiane Féral-Schuhl
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