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Prof. Louise Doswald-Beck, Leading Expert on International Humanitarian Law, Calls on President Obama to End US Abortion Restrictions on Aid to War Rape Victims

FOR IMMEDIATE RELEASE -

April 16, 2013 [NEW YORK, NY] –

The Global Justice Center (GJC) applauds the letter sent by Professor Louise Doswald-Beck to President Obama, urging him to lift US abortion restrictions on humanitarian aid for girls and women raped in armed conflict. Prof. Doswald-Beck is a former head of the Legal Division of the International Committee of the Red Cross (ICRC), and co-author of the 2005 authoritative codification of the customary rules of international humanitarian law.

GJC is leading the *August 12th Campaign*, which aims to ensure that girls and women raped in armed conflict have access to safe abortions in humanitarian settings as a part of their rights under international humanitarian law. Lifting the US abortion restrictions is a critical component of our efforts, and Professor Doswald-Beck joins influential legal and human rights groups, Parliamentarians and global legal experts who support the Campaign.

GJC President Janet Benshoof states that “Professor Doswald-Beck’s impeccable credentials as one of the world’s leading authorities on international humanitarian law make her letter to the President on the illegality of the US abortion ban put on humanitarian aid a ‘must read’ for all of us who care about the role of the US overseas.”

Professor Doswald-Beck’s letter details the ways in which omitting an abortion option from medical treatment for female war rape victims violates the protection and care guarantees of the Geneva Conventions and customary international humanitarian law:

- **The denial of abortion violates the medical care guarantees of international humanitarian law.** The failure to provide abortions as part of medical care for girls and women raped in war violates the categorical care and protection guarantees of IHL, which are “unchanged since 1864.” These include the rights of the “wounded and sick” to all necessary medical care, as required by their condition, under common Article 3 of the Geneva Conventions.

- **The denial of abortion violates the absolute prohibition on gender discrimination under international humanitarian law.** The denial of abortions for girls and women impregnated as a result of war rape violates the IHL prohibition on “adverse distinction,” including discrimination based on gender, since boys and men raped in war receive all necessary medical care. Professor Doswald-Beck states that IHL, as well as human rights law, precludes using biological differences to justify less favorable treatment for women and that although the medical treatment for female victims of rape may be different from that of male victims of rape, under IHL, “the outcome for each gender” must be the same.
- **The denial of abortion constitutes torture and cruel treatment in violation of international humanitarian law.** Given that pregnancy aggravates the serious, sometimes life-threatening, risks of the injuries from brutal rape perpetrated in armed conflict, the failure to provide abortion violates the prohibition against torture or cruel treatment under common Article 3 of the Geneva Conventions.

Professor Doswald-Beck states that although the parties to a conflict have primary obligations to provide care, all states, including the US, have a duty to “respect and ensure respect” for IHL under common Article I of the Geneva Conventions, including in the provision of humanitarian aid to war victims. Accordingly, Professor Doswald-Beck urges President Obama to lift US abortion restrictions on humanitarian aid, which she describes as leading to a “thoroughly inhuman” situation.

Benshoof adds “The President should heed her call and that of thousands of others. This terrible and shocking US policy is killing some women impregnated by war rape and causing lifelong suffering for others. No girl surviving brutal rape in armed conflict should be forced to bear the child of her rapists-torturers. President Obama should be seeking ways to advance, not subvert, the rights of girls and women raped in war under the Geneva Conventions and customary international humanitarian law.”

The full letter can be found [here](#).

Visit www.globaljusticecenter.net to learn more about the Global Justice Center’s August 12th Campaign.

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