

POLITICAL NETWORK FOR VALUES

How far can we get?

STATEMENT

September 2020

TO THE MEMBERS OF THE SLOVAK PARLIAMENT

The **POLITICAL NETWORK FOR VALUES** (PNfV) is integrated by **100 legislators from Austria, Croatia, Hungary, Ireland, Spain, Lithuania, Moldova, Norway, Poland, Portugal, Slovak Republic, Slovenia, United Kingdom, Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Kenya, Mexico, Paraguay, Peru, Dominican Republic, St. Lucia and Uruguay** who have endorsed a [Decalogue of Commitments for Human Dignity and the Common Good](#). This Decalogue states that:

- 1) Life is the **first of all human rights**, without which the other rights lose their foundation. It is therefore our duty to legally protect the right to life of every human being; and
- 2) The **defense of life** should begin from its moment of conception, when the human being is most vulnerable and defenseless.

We therefore endorse the letter signed by more than 160 civil society organizations asking the Members of the Slovak Parliament to support the Draft Law which Amends and Supplements Act No. 576/2004 Coll. of Laws on Healthcare, Healthcare-related Services¹.

The protection of life, health and human dignity which this law aims at doing, is a principle vested in international human rights law, as well as multiple international and regional treaties.

Slovakia ratified the United Nations Convention on the Rights of the Child in 1990; the preamble of the Convention states the following (emphasis added): '[T]he child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, *before* as well as after birth.'

The unborn child is a living human being since the moment of conception. As stated by the European Court of Human Rights in *Vo v. France*, the unborn child 'belongs to the human race².' In this capacity, the unborn child is entitled to all human rights as the

¹ Draft Law which Amends and Supplements Act No. 576/2004 Coll. of Laws on Healthcare, Healthcare-related Services, and on Amending and Supplementing Certain Acts as Amended, and which Amends and Supplements Certain Acts (Print no. 154, 19.06.2020)

² *Vo v. France*, Application No. 53924/00, European Court of Human Rights Judgment of 08/07/2004 at § 84.

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other members of the human family.

While the right to life is a fundamental human right, there is no right to abortion in international human rights law; in Europe, the Grand Chamber of the European Court of Human Rights upheld this on numerous occasions. Furthermore, with regard to regulations in the area of access to abortion, the European Court of Human Rights has held that the 'woman's right to respect for her private life must be weighed against other competing rights and freedoms invoked including those of the unborn child³.' This approach has been followed in a multitude of cases⁴.

The maintenance and strengthening of these safeguards, such as a waiting period, and advertising bans, are well within the realm of what is legal, on a domestic scale and certainly under international law. The extension of the waiting period allows for proper consideration and respect – not 'demeaning women as competent-decision makers', but rather giving them the necessary time and tools to discern upon a crucial decision to take.

For all these reasons, we strongly encourage the Members of the Slovak Parliament to vote in favour of the legislative proposal, thus upholding the dignity and the right to life of the unborn children, as well as the right of women to take an informed choice.



Lola Velarde
Executive Director

³ Tysiąc v. Poland, Application No. 5410/03, Judgment, 20 March 2007 at § 106 and Vo v France, (cited above) at §§ 76- 80 and § 82.

⁴ Brüggemann and Scheuten v. Germany, Application No. 6959/75, Commission decision 12 July 1977 at §§ 59, 61. See, A, B and C v. Ireland, Application No. 25579/05, Grand Chamber judgment of 16 December 2010 at §§ 222, 227.

LIFE FAMILY FREEDOM
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