

The Legislative Project On The Protection Of Pregnant Women In Mexico

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This legislative project focuses on the protection and support of pregnant women². Was introduced in the Congress on Spring 2016. Margarita María Martínez Fischer is the local Congresswoman promoting this initiative. She is a member of the political party *Partido de Acción Nacional* [Hereinafter: PAN].

Since 2007 abortion is legal in Mexico City, and it can be done up to 12 weeks of pregnancy. The decriminalization of abortion was promoted as a way to decrease the high maternal mortality rate, as a result of the access to illegal and underground abortions in the city. Also, the decriminalization of abortion was presented as an alternative for women that face an unexpected pregnancy³.

When Congresswoman Martínez Fischer presented her legislation, she pointed out: “*there has been no evidence of a decrease in the maternal mortality rate in the city*”⁴. She stated that “*abortion can't be the only option for a pregnant woman who faces an unexpected pregnancy*”⁵. Therefore, her legislative project seeks to give alternatives to women, fighting discrimination against pregnant woman, and promoting different ways of supporting them, so women don't see in abortion the only solution for the needs that may arise in the development of their pregnancy.

In the legislative project are the following proposals:

- An adequate economic subsidy for the pregnant woman and the mother of kinds up to 9 years old, based on the socio-economic situation of the woman;
- Free specialized medical attention, in a public hospital or through an economic funding to attend private medical services. This is with the goal of supporting the mothers that must cover all the expenses of facing an unexpected pregnancy, so they can approach the question of whether or not having an abortion without economic pressures.

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² Legislative project on the protection of regnant women in Mexico City. Congresswoman: Margarita María Martínez Fisher. Mexico City april 28 of 2016.

<http://www.aldf.gob.mx/archivo-5b3c2abf52cc0988a1ae0aac0e6601b9.pdf>

³ Statements that present abortion as a solution for an unexpected pregnancy goes against the international agreements on Human Rights signed and ratified by Mexico. See:

<http://defendiendovidas.org/faq.php>

<http://es.scribd.com/doc/63446440/Aborto-y-mortalidad-materna-en-Chile-Presentacion-del-Dr-Koch-ante-Senado-2011>

⁴ Legislative project on the protection of regnant women in Mexico City. Congresswoman: Margarita María Martínez Fisher. Mexico City april 28 of 2016. Pg 43.

⁵ Idem.

- High support to eliminate discrimination on the woman's workplace. It happens to be a common phenomenon in Mexico to be fired because of being pregnant, or not being hired because of the same reason.
- Working pregnant women must face also the issue of looking for someone to take care of their child, so this legislative project also contemplates to increase the number of daycare centers in the city, especially for families with low income.

Another issue that this statute addresses is the improvement of health services to provide pregnant women, and women who already have children, adequate services, and, in that sense, provide a real solution to the high maternal mortality rate. This project makes a clear emphasis the fact that maternal mortality is not mainly related to unsafe abortions (as has been shown⁶), but it is related to the quality of the health services available for pregnant women. This is why in Mexico City the way pregnant women are treated must be a priority.

Article 7 of the Project says: *"From the time a doctor of public or private health services has knowledge of one of his patients being pregnant, he has the obligation to inform her about the existence of the Support Network for Pregnant Women, which will help her through all the stages of her pregnancy, birth and early childhood. The doctor will give the patient information how to contact that network"*⁷.

The reason why the bill will create a Support Network for Pregnant Women is related to the need of support to pregnant women in vulnerable situations (poverty, difficulty in accessing health care, single mothers and/or teenagers, etc.). This network will link *"public and private organizations to give support and counseling to women, so they can overcome any tricky situation which may arise during the pregnancy"*; as per article 10, this will be coordinated by the Mexico City Institute of Women.

Nowadays the legislative trend is to show abortion as the only alternative for pregnant woman who face economic, labor or health issues that may arise with the existence of an unexpected pregnancy. Nevertheless, this project wants to make clear that the Government is committed with solving the problems from their real root. Thus, this initiative seeks to truly empower women, letting them know that the State is on their side, moreover, they can continue with their lives without the need to undergo abortion (which has physical and mental risks for the woman⁸), and fully enjoy their maternity.

⁶ See abortion and maternal mortality in Chile: <https://es.scribd.com/doc/63446440/Aborto-y-mortalidad-materna-en-Chile-Presentacion-del-Dr-Koch-ante-Senado-2011>

⁷ Translation made by the author.

⁸ See post abortion syndrome: <https://www.aciprensa.com/aborto/post-aborto.htm>

This project is highly important for the city, because it is supported not only by Hon. Martinez Fischer's political party (PAN⁹), but also by other political parties with different ideologies, like Morena¹⁰, Partido de la Revolución Democrática¹¹, among others. The core ideas of this legislative project are common grounds in the political diversity that Mexico has. It is a way to track down the real causes that negatively impact women during pregnancy and that may push them to see abortion as a solution. This is a way of giving women the option to continue with their pregnancies, showing that the State does not want to force them to have an abortion, nor allow the difficulties that surround them to coerce them towards a bad choice. The main purpose of this project is for women to make a free and informed decision.

It is important also to highlight that the laws created in Mexico City have a huge political and legal influence throughout the States of the country. Hence, if this statute is approved, it is very likely that it will become a model for other States' regulations on this matter.

Today the project is waiting to be debated. In the following months the Mexico City's local Congress will determine whether or not the city is committed to the protection and alternatives for pregnant woman, or if instead it is willing to maintain its position of indifference to the needs of this group of women.

⁹ See official website: <https://www.pan.org.mx>

¹⁰ See official website: <http://www.morena.si>

¹¹ See official website: <http://www.prd.org.mx/portal/>