

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

May 23, 2018



Justices of the Constitutional Court of Korea
15 Bukchon-ro, Jae-dong
Jongno-gu
Seoul 03060
Republic of Korea

Honorable Justices of the Constitutional Court of Korea,

As you prepare to rule on case 2017Hun-Ba127 concerning the laws on abortion in the Republic of Korea (South Korea), Human Rights Watch has the honor of submitting the annexed amicus brief on international human rights law and abortion.

Human Rights Watch has extensive expertise on the right to access abortion as an international human rights issue. We have conducted in-depth investigations specifically on access to abortion in Ecuador, Peru, Argentina, Mexico, Nicaragua, and Ireland. Our investigations into related issues, such as sexual violence in armed conflict or on child marriage, have also addressed inaccessibility of safe abortion, including in projects on Brazil, Sudan, Central African Republic, India, Kenya, Uganda, Algeria, Nepal, Burundi, Colombia, Haiti, and Libya. We work to raise public awareness about access to abortion and human rights through advocacy and media work, for example in Chile, Argentina, El Salvador, Paraguay, Poland, South Korea, Honduras, the United Kingdom, Angola, Papua New Guinea, Italy, the United States, Bangladesh, Sierra Leone, Spain, Turkey, and Uruguay.

The criminalization of abortion in South Korea jeopardizes many human rights, including women's rights to life, health, non-discrimination and equality, privacy, information, to be free from cruel, inhuman or degrading treatment, and to decide the number and spacing of children. This amicus brief explains authoritative interpretations of international human rights law, which clearly establish that governments are required to

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decriminalize abortion and ensure access to safe, legal abortions to be in compliance with international human rights treaties.

We hope that the Constitutional Court will take into account South Korea's international legal obligations during its deliberations and ensure that those obligations are met by requiring the decriminalization of abortion and safe, legal access to the procedure in South Korea.

Thank you for your consideration.

Sincerely,

Liesl Gertholtz

Director, Women's Rights Division