



<https://saludsinmiedos.com/informe-regional/>
For immediate release

Latin America and the Caribbean

A groundbreaking regional report reveals how the criminalization of abortion operates in practice as a policy that results in human rights violations

The study, which analyzes 611 cases from six countries in the region, documents the human rights violations faced by women, girls, and adolescents throughout the 'abortion criminalization pathway,' which often begins within health care systems and extends to justice systems that fail to provide minimum procedural guarantees, deepening inequalities and amplifying social stigma.

(Washington D.C. May 28, 2026) – The criminalization of abortion in Latin America and the Caribbean is leading to human rights violations, with a concerning impact on health care systems that are often the gateway to criminal prosecution against women, girls, and adolescents, the regional initiative [Health Without Fear](#) noted today upon presenting the report For Health Without Fear.

The report analyzes 611 cases of abortion criminalization that occurred between 2012 and 2023 in Brazil, Chile, Guatemala, Peru, the Dominican Republic, and Uruguay, out of a total of 10,848 women, girls, and adolescents criminalized in those countries. Using a comparative and standardized methodology—unprecedented in Latin America and the Caribbean—the study introduces the concept of the “abortion criminalization pathway” to show how women, girls, and adolescents are drawn into investigations and criminal proceedings after seeking medical care.

“This report demonstrates that the criminalization of abortion is a state practice that puts lives at risk, destroys trust in health systems, and punishes women who do not fit traditional stereotypes about motherhood and reproduction. Clearly, this is not an abstract debate about criminal law; it promotes human rights violations and negatively impacts the lives of women, girls, and adolescents,” said Ximena Casas Isaza, a lawyer specializing in sexual and reproductive rights and coordinator of the Health Without Fear initiative. “It seems obvious, but no woman should face a police interrogation while receiving emergency medical care.”



The main findings were:

1. Hospitals as a gateway to criminalization

The report reveals that, in more than half of the cases where the source of the complaint could be identified, it came from healthcare personnel when women, girls, and adolescents went to hospitals seeking medical care. The investigation documents the initiation of criminal proceedings, in violation of professional secrecy and the right to confidentiality in medical care—fundamental guarantees of the right to health and privacy, protected by international human rights law. The study also identifies interrogations conducted during care for obstetric emergencies—in some cases under pressure or threats of being denied medical care—as well as situations of abuse and obstetric and institutional violence—including procedures without anesthesia, denial of food or drink, and deliberate exposure of fetal remains.

“The consequence is devastating: many women stop going to hospitals even in emergency situations for fear of being reported, interrogated, or criminalized. And those who do seek care often face abuse, humiliation, and obstetric violence. This not only erodes trust in health systems but also undermines the quality and safety of medical care,” said Casas.

2. Legal proceedings without guarantees

The report documents alarming violations of due process in the 611 cases analyzed. Many women, adolescents, and girls did not have timely access to legal representation, were interrogated without a defense attorney present, and faced proceedings based on evidence obtained through violations of medical confidentiality, which also violates the right against self-incrimination.

Most of the identified cases lacked adequate defense, and in nearly half, representation was provided by public defenders with deficient strategies, demonstrating that the criminalization of abortion also disproportionately affects poor women who lack the resources to access private defense.

At least 61 women were sentenced to prison following trials that violated human rights. Others faced pretrial detention without any procedural justification, and the imposition of alternatives to imprisonment was also identified, such as a ban on leaving the country, restrictions on mobility—such as not leaving home, not frequenting bars, performing community service, attending therapy, and reporting periodically to the courts. In Brazil and Peru, the report documents 85 cases in which women accepted early termination mechanisms that involve



admitting responsibility or complying with imposed conditions to avoid continuing to face proceedings without due process guarantees.

“The prosecution of women for abortion does not occur in a vacuum: it is the result of processes marked by violations of basic due process guarantees, in which the possibility of receiving an arbitrary sentence is a latent threat,” noted Selene Soto Rodríguez, senior legal advisor at Ríos. “The justice systems are reinforcing a collective message to society of control and punishment regarding the consequences of failing to comply with traditional mandates on motherhood and reproduction.”

3. A discriminatory policy that deepens inequalities

The report concludes that the criminalization of abortion functions as a discriminatory policy because it is based on gender stereotypes.

In reviewed court records, women were described as “cold,” “calculating,” or even “murderers,” reinforcing stereotypes linked to traditional roles of motherhood and caregiving.

It was also found that at least 21 girls and adolescents were criminalized for abortion, including 13- and 14-year-old girls in Peru and Chile, which further highlighted the link to the serious issue of sexual violence. Criminal investigations were also identified against at least 63 migrant women in Chile and the Dominican Republic, as well as the case of a woman with a disability in Peru.

“The report makes it clear that criminalization does not affect everyone equally. It deepens the inequalities faced by women who have historically been discriminated against,” said Casas.

4. State Transparency and Lack of Access to Information

The investigation also revealed problems with state transparency and access to public information.

Of 314 requests for access to information sent to 154 state entities in the six countries analyzed, the report identified a lack of disaggregated and up-to-date data, inconsistencies between official figures, and omissions regarding the profile of criminalized individuals.

The lack of adequate official records makes it difficult to gauge the real impact of criminalization and limits the ability to document human rights violations in these contexts.



Stories that put a face to the reality documented in the regional report

Julieta (Guatemala), a 26-year-old woman with three children, took a natural remedy to treat abdominal pain, unaware that she was pregnant. When her condition did not improve, she went to a health center seeking medical care. Medical staff determined that Julieta was experiencing bleeding consistent with a miscarriage. According to the doctor, a medication was identified inside Julieta's vagina that could have caused the abortion. The healthcare staff reported Julieta to the police; she was arrested and charged with self-induced abortion and placed in police custody. Police officers took a photo of her while she was on a recovery stretcher at the health center and shared it on social media, which was then picked up by the media. While receiving medical care, Julieta spent the entire day without food and handcuffed to a stretcher. Her partner was not allowed to give her water, and her phone and belongings were taken away. One of the nurses said, "Let her die of thirst; she doesn't deserve to be a woman." During the trial, it was proven that the substance found in Julieta's vagina was neither misoprostol nor any other medication that could have caused the abortion.

Ysabel (Perú), at age 25, lived with her aunt and siblings, helping with household chores while she studied. She describes herself as a person of low income and the sole breadwinner for her family. One day, she experienced severe stomach pains and went to the emergency room, where she was diagnosed with a "threatened miscarriage." Ysabel stated that she was unaware she was pregnant because "I didn't feel any symptoms, and besides, I got my period normally every month." The hospital police were notified, and Ysabel gave a statement without a lawyer present, both at the hospital and during her first summons at the police station, two months after the events. In both her first and second statements, Ysabel stated that she went to a pharmacy where "I told them about the pain I was feeling, and they asked me if I was pregnant; I told them no, that the pain was from my period." They prescribed her two pills to regulate her menstrual cycle, but "since I didn't have enough money, I only bought one, and they told me to insert it vaginally." The Public Prosecutor's Office requested that Ysabel be sentenced to seven months of imprisonment and ordered to pay nearly three hundred U.S. dollars (1,000 nuevos soles) as restitution for the offense against society for the crime of self-induced abortion. After three years of legal proceedings and with no prior criminal record, Ysabel was convicted of the crime of "self-induced abortion



as a crime against society,” and was sentenced to appear before the court once a month for one year, to refrain from committing any new crimes, and to pay approximately half of the amount requested by the prosecution as civil restitution.

Emma (Chile), a 13-year-old girl, after becoming pregnant following a sexual assault, was referred from the clinic to the hospital to undergo an abortion, as her case fell within the legally permitted grounds. However, the hospital director filed a complaint against the minor for abortion. Although the case was later closed, Emma faced a revictimizing process that treated her as a suspect in a crime rather than as a victim of sexual violence.

An urgent call to shift the punitive paradigm: a possible pathway toward health without fear.

Health Without Fear calls on the States of Latin America and the Caribbean to abandon the punitive approach to abortion and adopt policies based on public health, scientific evidence, and human rights.

The report proposes a roadmap that includes:

- Eliminating or reducing the use of criminal law in matters of abortion.
- Guaranteeing medical confidentiality and eliminating reporting obligations for healthcare personnel.
- Ensuring adequate legal representation and due process in cases related to abortion.
- Taking measures to eliminate gender stereotypes in the justice systems
- Preventing obstetric and institutional violence and ensuring accountability.
- Adopt policies with a gender and intersectional perspective.
- Strengthen the production of public and disaggregated data on these cases.

“Abortion should not be treated as a crime. It must be addressed as a matter of public health and human rights. The future demands this urgent paradigm shift,” stated *Health Without Fear*.



About the report

Health Without Fear was developed within the framework [Health Without Fear](#), a regional initiative co-led by expert Ximena Casas Isaza and Ríos, an organization that works for social justice through the strategic use of the law. The regional initiative seeks to transform the legal approach to abortion by generating empirical evidence on the impacts of criminalization on human rights. The report was produced in collaboration with partner organizations from six countries: Anis (Brazil), Corporación Miles (Chile), Crisálidas (Guatemala), Proyecta Igualdad (Peru), CLADEM (Dominican Republic), and Mujer y Salud en Uruguay – MYSU (Uruguay).

“In the context of **the International Day of Action for Women’s Health**, we want to foster a global conversation about the devastating impacts of the criminalization of abortion on the lives, health, and dignity of women, girls, and adolescents. The evidence is clear: treating abortion as a crime does not save lives; it puts them at risk. That is why it is urgent to move toward its decriminalization, in line with the recommendations of the World Health Organization and international human rights standards. This is an urgent and relevant agenda for both Latin America and the Caribbean, the current situation in the United States following the Dobbs ruling, as well as global debates on the issue,” stated *Health Without Fear*.

“*For Health Without Fear*” is available at: [Health Without Fear](#)

For more information about the work of Health Without Fear, visit:
<https://saludsinmiedos.com/en/home/>

For more information about the report or to request an interview, please contact:

Ximena Casas Isaza: +34-626-587-193 (celular); o ximenacasasisaza@gmail.com.
Twitter: @Ximecasas76 / LinkedIn: Ximena Casas Isaza

Salud Sin Miedos / Health Without Fears / Saudé Sim Medos:
saludsinmiedos@riossocialjustice.org / IG @saludsinmiedos