Chapter 13  Selective Abortion: An Act of Violence and Discrimination on Grounds of Sex

Reclaiming the rights of the girl-child at risk of abortion

We are confronted with the slaughter of Eve, a systematic gendercide of tragic proportions…. It starts in the womb. There are societies where male births are preferred, particularly if the number of births are limited. That’s where abortion for gender reasons starts….Abortion is now both a moral issue and a health issue—but in quite the opposite manner that abortion advocates have long argued.¹

Ambassador Dr. Theodor Winkler of the International Institute of Strategic Studies made this incisive comment in launching a 2005 report entitled Women in an Insecure World, an investigation by 60 authors. They show that sex-selection abortions and infanticides are the primary cause of a critical global imbalance of the sexes, with a disparity of more than 200 million more males than females worldwide, a disparity which has resulted in increasing problems with child abuse, sibling violence, spousal exploitation, and sex trafficking.²

In view of this situation—a systematic gendercide of tragic proportions—abortion advocates can have little credibility in lauding unrestricted abortion as a human rights advance for women and girls.

The UN Committee on the Rights of the Child (CRC Committee) has condemned selective abortion as discrimination against children and as a serious violation of their rights, affecting their survival.³ The Committee denounces not only selective abortion of girl children on the grounds of sex discrimination, but also goes on in the same paragraph to condemn “multiple discrimination (e.g., related to ethnic origin, social and cultural status, gender and/or disabilities)”.

3 UN Committee on the Rights of the Child (CRC) General Comment No 7 (2005), “Right to Non-discrimination.”
The CRC Committee is signalling here a re-emerging recognition of the need to protect children at risk of abortion.

The CRC Committee classifies selective abortion as a human rights violation. As such, States are obliged by the international human rights standard established in the UN Convention on the Rights of the Child (CRC) (1990) to hold perpetrators accountable.

Selective abortion—prenatal sex selection as “an act of violence”—Beijing Platform for Action

The act of "prenatal sex-selection", resulting in selective abortion on the grounds of sex, is included in the official definition of violence agreed at the Fourth UN Conference on Women at Beijing (1995): "acts of violence against women also include...prenatal sex selection...” 4 Governments at Beijing promised to:

– prevent and eliminate all forms of violence against women and girls. 5
– enact and enforce legislation protecting girls from all forms of violence, including...prenatal sex selection ... 6
– enact and enforce legislation against the perpetrators of practices and acts of violence against women, such as...prenatal sex selection...and give vigorous support to the efforts of non-governmental and community organizations to eliminate such practices.7
– eliminate all forms of discrimination against the girl child...which result in harmful and unethical practices such as prenatal sex-selection and female infanticide; this is often compounded by the increasing use of technologies to determine fetal sex, resulting in abortion of female fetuses. 8

This last paragraph ties prenatal sex selection to abortion—although there was an immense effort by pro-abortion advocates at the time to try to keep condemnation of abortion out of the text.

Their aim was to restrict condemnation to "prenatal sex selection". This had proved, however, logically impossible, as they had realized by the time the UN Conference known as Beijing+5 came round five years later. There in New York, they resisted all our efforts to review how governments were performing on their Beijing promise to enact and enforce legislation to eliminate the violent act of pre-natal sex selection resulting in abortions. The UN Secretariat and the Chair just pulled a blanket of silence down over the Beijing commitment—in the final report of that conference pre-natal sex selection did not rate even one mention.

5 Ibid., Principle 29.
6 Ibid., para. 283 (d).
7 Ibid., para. 124 (i).
8 Ibid., para. 277(c).