

Barriers to Access to Voluntary Termination of Pregnancy: Stories from Norte de Santander, Colombia

The case of Eva*

Eva is a 14-year-old Venezuelan girl who crosses the Colombian border regularly for work. She helps her mother at work and takes care of her little brother. She arrived in Colombia pregnant and suffering from a sexually transmitted disease as a result of rape. She does not wish to become a mother.

When she learned that abortion was legal in Colombia, she decided to have the procedure done. She went to the Hospital Erasmo Meoz in Cúcuta to request voluntary interruption of pregnancy as a victim of sexual violence, as well as treatment for her sexually transmitted infection. Hospital staff asked her for a police report, and when she was unable to produce one, they refused to perform the procedure. Eva was unable to get a police report because Colombian prosecutors do not take reports of sex crimes occurring in Venezuela.¹

While she was trying to get an abortion, Eva was subjected to psychological abuse by hospital staff. Her confidentiality rights were violated when medical personnel who had no reason to hear about her case found out that she was seeking an abortion. Medical providers pressured her not to have the procedure done. Her mother, too, pressured her and called her a murderer.

Faced with all these obstacles, Eva gave up and continued with the pregnancy. A caesarean section was scheduled for her because of her young age and malnutrition, which meant that a natural birth would place her life at risk. She went into labor the same day that the Simón Bolívar International Bridge was barricaded. Eva was stuck on the Venezuelan side of the bridge. In the border town, a caesarean section was performed without anesthesia or medication. The baby was born dead.

Finally, some medications were brought from Colombia for her, because the caesarean section, performed in inadequate conditions, had placed her life at risk. Because of the economic crisis in Venezuela, Eva, her mother, and her brother are still crossing the border for work. Entering Colombia is their only way to survive.

Eva also goes to Colombia for family planning methods from time to time, not because she wants to take contraceptives, but because she is certain she will eventually be raped at the border again, and she does not want to relive the nightmare of becoming pregnant and being forced to take the pregnancy to term.

¹ Because of her young age and malnutrition, she was also eligible for voluntary termination of pregnancy under the “risk to health or life” exception to abortion laws, but the procedure was still refused.

The case of Rut

Rut, a 17-year-old Venezuelan migrant, has a younger brother she has to take care of. Her father started raping her when she was a little girl. Later, as she attempted to enter Colombia on foot, she was raped by three men.

She became pregnant as a result of the rapes. She was 12 weeks pregnant when she went to a hospital in Villa del Rosario, Norte de Santander, in distress, crying, and stating that she did not wish to continue with the pregnancy.

Hospital staff refused her request for voluntary termination of pregnancy and referred her to a Medellín hospital, where she was given medications for a medical abortion.

She was unable to care for her brother, so he was taken to the Colombian Family Welfare Institute for care.

In Medellín, medical personnel left her alone for the whole process of the medical abortion. They only came when she had expelled the fetus. Then they put the dead baby on her chest and called her a murderer.

After all these barriers and abuse by medical staff, Rut left the hospital and was never heard from again. Her current whereabouts are unknown. She left without receiving psychological care or other treatment for the abuse she suffered at the hospital.

The case of Sol

Sol is a woman from Pamplona, Norte de Santander. She gave birth after a difficult, high-risk pregnancy, and her doctor told her she could not have any more children, because another pregnancy would place her life at risk. But she became pregnant again, and when she went to the clinic, her request for voluntary termination of pregnancy was denied, despite the medical certificate she presented showing that her life was at risk if she carried another pregnancy to term.

Desperate, she got her hands on some abortion medications, but they did not work. Her state insurance provider was going to refer her to a Medellín hospital, but before this happened, personnel at the Hospital Erasmo Meoz de Cúcuta agreed to perform the abortion, but only after trying to convince her otherwise, pressuring her, and calling her a murderer.

They withheld food from her for a day and a half, and when they found they were unable to persuade her, they finally gave her medications for a medical abortion. They left her alone for the whole process.

The situation of women in Norte de Santander

According to the report “Sin Dios ni Ley”² by Fundación Paz y Reconciliación-Pares, “between 2012 and 2019, twenty-eight different criminal groups were fighting over the 2,219 kilometers of border between Colombia and Venezuela. The area is overrun with multiple illegal armed groups and different black-market activities that lead to multiple forms of violence and conflict, with serious repercussions for local civilian populations. This illegal economy is on the rise, and trafficking in human beings for purposes of sexual and labor exploitation is outpacing drug trafficking and other forms of smuggling. Most of the victims are Venezuelan migrant women.”

Government agencies in Norte de Santander and elsewhere in the country are well aware of this situation. Women in the Catatumbo Region are kept prisoners and systematically raped by different armed groups. Those who are able to escape go to Cúcuta, often with unwanted pregnancies and seeking abortion services under the existing exceptions to abortion laws. Despite having fled these scenarios of conflict and violence, when they get to the hospital, medical staff demands a police report in order to perform an abortion. It would be extremely dangerous for them to report members of these armed groups to the authorities without guarantees of protection. In these tragic circumstances, women find themselves trapped and revictimized.

During quarantine, many women have been gang raped. They are kidnapped for days at a time, raped, humiliated, and subjected to inhuman acts such as impalement. Some are able to make it to a hospital to seek treatment for lacerations and other injuries, sexually transmitted diseases, and unwanted pregnancies.

Migrant women, unaware of Colombian law and their rights in Colombia, are often told by personnel at healthcare facilities that “you have no rights here” and subjected to different forms of abuse. As undocumented migrants, they are unwilling to go to the authorities for fear that they may be deported or their attackers might find out. These are poor women, suffering malnutrition, lacking education, and with many children, and when they seek help, unfair and disproportionate barriers are erected for them.

** The names of the women have been changed to protect their identity and safety.*

² Report *Sin Dios ni Ley*, Fundación Paz y Reconciliación-Pares. <https://bit.ly/2OkKgqX>