

We're for women's rights



**Hers.**



**And Hers.**

## Sex Selective Abortion Law

A sex selective abortion is the intentional termination of pregnancy based upon the predicted sex of the pre-born child.

In February 2020, MP Cathay Wagantall introduced her private member's bill, the Sex Selective Abortion Act. While most Canadians support this common sense abortion restriction, it was defeated. Our law needs to protect girls targeted just because they are girls.

The Canadian Charter of Rights and Freedoms guarantees equal treatment and benefit under the law regardless of sex. This commitment to gender equality needs to start at the earliest stages of life. Sex selective abortions strike a blow to the foundation of equality.

**Regardless of our views on abortion, all who treat equality seriously should unite in calling for a ban on sex selective abortion.**

**Sex selective abortion is a problem:** The United Nations Population Fund explains that an estimated “126 million women and girls were missing in 2010 due to gender-biased sex selection.”<sup>1</sup> Mara Hvistendahl, in her Pulitzer Prize winning book *Unnatural Selection*, notes that “sex selection happened among Hindus, Muslims, and Christians; among ethnic and political rivals; in economic powerhouses and in countries just on the cusp of development.”<sup>2</sup> It is a pervasive problem around the world.

**Sex selective abortion needs to be addressed directly:** Sex selective abortions may sometimes correlate with other sexist practices, but sex selection always correlates with readily available abortions. You cannot address sex selective abortion by only addressing other sexist practices. It needs to be called out for what it is. It cannot be explained away as a symptom of sexism in a culture, and it won't change by generic gender equality educational initiatives.

**Sex-selection is sometimes illegal in Canada – but sex-selective abortion is always legal.**

**Sex selective abortions happen in Canada:** Canada has no abortion law, meaning abortion is legal for any reason - including the reason that you don't like the sex of your pre-born child. A series of articles coming from the Canadian Medical Association Journal have reported the disturbing trend of sex selective abortions here in Canada. Even if one girl is targeted in the womb because of her sex, we must act to counter this injustice.

**This is a uniting issue:** A 2020 poll showed that 84% of Canadians supported a law that would ban sex selective abortion.<sup>4</sup> This transcends the typical pro-life and pro-choice labels. In our current setting there is much that divides us – especially when it comes to the issue of abortion. We should embrace the common ground that we have on this issue and unite our voices to say that sex selective abortion is wrong.

**Sex selection is already illegal when it comes to IVF:** Parliament recognized the risk of sex selection when it passed the Assisted Human Reproduction Act in 2004 and prohibited IVF providers and patients from doing “any thing that would ensure or increase the probability that an embryo will be of a particular sex, or that would identify the sex of an in vitro embryo.”<sup>5</sup> The result is that a couple may not select an embryo for in vitro fertilization based on sex. Yet there is still no such prohibition when it comes to abortion.

1 United Nations Population Fund. (2018). Gender-Biased Sex Selection. <https://www.unfpa.org/gender-biased-sex-selection>

2 Hvistendahl, M. (2011). *Unnatural Selection: Choosing Boys over Girls, and the Consequences of a World Full of Men*. New York: PublicAffairs (“Unnatural Selection”) at p 10.

3 Urquia, M. L., Moineddin, R., Jha, P., O'Campo, P. J., McKenzie, K., Glazier, R. H., Ray, J. G. (2016). Sex Ratios at Birth after Induced Abortion. *Canadian Medical Association Journal*, 188(9), E181-E190. <https://doi.org/10.1503/cmaj.151074>

Urquia, M. L., Ray, J. G., Wanigaratne, S., Moineddin, R., & O'Campo, P. J. (2016). Variations in Male-Female Infant Ratios among Births to Canadian-and-Indian-Born Mothers, 1990-2011: a Population-Based Register Study. *Canadian Medical Association Journal Open*, 4(2), E116-E123. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4933604/>

Vogel, L. (2012). Sex Selection Migrates to Canada. *Canadian Medical Association Journal*, 184(3), E163-E164. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3281173/>

Yasseen, A. S., & Lacaze-Masmonteil, T. (2016). Male-Biased Infant Sex Ratios and Patterns of Induced Abortion. *Canadian Medical Association Journal*, 188(9), 640-641. <https://doi.org/10.1503/cmaj.160183>

4 <https://dartincom.ca/wp-content/uploads/2020/01/PostMedia-Abortion-Feb-F-1-2020.pdf>

5 Assisted Human Reproduction Act, S.C. 2004, c. 2, s 5(1)(e).