



Via Fax and Post

Johan Callewaert
Deputy Grand Chamber Registrar
European Court of Human Rights
Third Section
Council of Europe
F – 67075 STRASBOURG CEDEX.
Fax: +33 3 88 41 27 30

5 October 2009

Application no. 25579/05
A, B and C v. Ireland

Dear Sir,

As per your letter dated 4 September 2009 noting that third parties will receive an electronic copy of the parties' memorials to the Grand Chamber in the above referenced case, we hereby submit our relevant email addresses below.

We also respectfully submit to the Grand Chamber updated information related to information in our written submission. Please note that earlier this year, Monaco liberalized its criminal code provisions governing abortion, from a total ban on abortion to allow express exceptions for the risk to the woman's health or life, fetal impairment or rape.¹ The law does not make a distinction of any kind, including gestational limits on risk to life and on health grounds.²

¹ *Loi n° 1 359/20.04.2009 portant création d'un Centre de coordination prénatale et de soutien familial et modifiant les articles 248 du Code Pénal et 232 du Code Civil, Art.5 sec. II* [Law No.1359/20 April 2009 Establishing a Center for Prenatal Coordination and Family Support and Amending Article 248 of the Criminal Code and Article 232 of the Civil Code, Art. 5, sec II], published in *Journal de Monaco* No. 7.909/ 24 April 2009

² *Id.*, Art. 5, sec II (1).

As a result of this recent change to Monaco's law, we submit the following revisions to our third party intervention:

- Paragraph 13, second sentence should read that four (not five) Council of Europe Member States, including Ireland, do not permit abortion to save the life and to protect the health of the pregnant woman. Reference to Monaco in corresponding endnote should be removed.
- Paragraph 15, second sentence and corresponding endnote should delete reference to Monaco.
- Endnote 23 should include Monaco's new law that phrases life and health risks as indistinguishable in the legislation.
- Paragraph 20, fifth sentence should read that forty (not thirty-nine) member states extend both life and health exceptions to the same gestational limit. The corresponding endnote should cite to Monaco's new law.
- Paragraph 25, second sentence should read that thirteen (not twelve) member states also permit lawful abortion for 'social' or 'special' reasons that relate to or impact mental health.... The corresponding endnote should cite to Monaco's new law.³
- Paragraph 51, third sentence, should read twenty-seven (not twenty-six) member states require that a woman receive formal certification of medical needs for pregnancy termination from health professionals to qualify for health based exceptions. The corresponding endnote should reference Monaco's new law.⁴

Should you need further information please do not hesitate to contact us.

Sincerely,



Joanna N. Erdman
Co-Director, International Reproductive
and Sexual Health Law Programme
Faculty of Law, University of Toronto
78 Queen's Park Crescent
Toronto, Ontario Canada M5S 2C5
Tel: 416-946-3755
Fax: 416-978-2648
email: joanna.erdman@utoronto.ca



Christina Zampas
Senior Regional Manager and
Legal Adviser, Europe
International Legal Program
Center for Reproductive Rights
120 Wall Street
New York, NY 10005 USA
Tel: 1-917-637-3635
Fax: 1-917-637-3666
email: czampas@reprorights.org

³ *Id.*, Art. 5, sec II (2) (3).

⁴ *Id.*, Art. 5, sec. II.