

Methodology Grounding the *World's Abortion Laws Map*

Understanding Abortion Laws on the Map

The categorizations on the [World's Abortion Laws Map](#) reflect a strict reading of the black letter law in effect in each country, meaning that provisions are either well-established in case law or codified in legislation. Ministerial guidelines and policies are not utilized in categorizing the legal status of abortion on the map unless they have the force of law. We do this because laws remain stable, while guidelines and policies change frequently and do not bear the same weight or authority as law. To ensure the map accurately reflects the black letter law in countries around the world, we work with pro bono lawyers to provide in-country analyses and interpretation whenever possible. This helps ensure accuracy and provides access to laws that might be difficult to otherwise locate.

As our methodology reflects the official abortion law of the country, **it does not indicate access on the ground to abortion services**. In some circumstances, barriers to accessing safe and legal abortion services can make the reality of accessing care very different than the law. On the other hand, some countries implement a broad reading of the abortion law, so access to abortion on the ground is easier than suggested in the law. For example, Great Britain, as of 2023, permits abortion on broad socioeconomic grounds, while in practice, most pregnant people can access abortion basically on request, although the law does not appear that way.

For our purpose, “countries” include independent states, semi-autonomous regions, territories, and jurisdictions of special status whose populations exceed one million.

Categorization of Countries

Category I: On Request

Countries allowing abortion on request generally allow pregnant people to make the decision on whether to continue or terminate a pregnancy within a specified gestational limit. Beyond the gestational limit, abortion is often permitted on specific grounds, such as when the pregnant person's life or health is at risk and in cases of rape, incest, or fetal diagnosis.

- Gestational limits are calculated from the first day of the last menstrual period, which is considered to occur two weeks prior to conception. Where laws specify that gestational age limits are calculated from the date of conception, these limits have been extended by two weeks.
- We do not map gestational limits for countries that do not permit abortion on request. Countries with restrictive abortion laws, such as those only permitting abortion when the person's life or health is at risk, generally do not proscribe a gestational limit for abortion.

Category II: Broad Social or Economic Grounds

These laws are generally interpreted liberally to permit abortion under a broad range of circumstances. These countries often consider a pregnant person's actual or reasonably foreseeable environment and their social or economic circumstances in considering the potential impact of pregnancy and childbearing.

Category III: To Preserve Health

The laws of countries in this category permit abortion based on health or therapeutic grounds.

- Some countries that allow abortion on health grounds, particularly mental health, might interpret the health exception to include cases of rape or incest, even when such are not explicitly articulated in law.

Category IV: To Save the Pregnant Person's Life

The laws of the countries in this category permit abortion when the pregnant person's life is at risk. Some countries in this category also permit abortion on other specific grounds, such as when pregnancy results from rape or incest or in cases of certain fetal diagnoses.

Category V: Prohibited Altogether

The laws of the countries in this category do not permit abortion for any reason, including when the pregnant person's life or health is at risk.

Population Data

The map includes a breakdown of the five categories and the number of women of reproductive age around the world who are living in countries within each category. The analysis is updated when countries enact new abortion laws and when new population data is published. Mexico and the United States are not included in this population analysis because the legal status of abortion varies widely at the subnational level. For more information about the abortion laws in each state in the United States, please visit [After Roe Fell: Abortion Laws by State](#).

The population analysis draws from the most recent data from the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, *World Population Prospects 2022*, which tracks the number of women of reproductive age living in each country. We use gender neutral language throughout the map to recognize that people who do not identify as women may also need access to abortion services. However, general population data does not accurately reflect the number of people who can get pregnant and therefore are impacted by the abortion laws in each country. As of 2023, the United Nations' population data on women of reproductive age (ages 15 – 49) is the closest data set to providing an accurate depiction of the number of people directly impacted by the abortion laws in each country. Accurately reflecting this data requires that we use the term “women of reproductive age.”

Updating the PDF and Interactive Map

We create both an interactive and a PDF version of our map.

- The [interactive map](#) is updated in real time to provide the most accurate look at changing abortion laws around the world. Country information can be isolated and viewed by category or indicator.
- The **PDF map** is available in a link below the interactive map and includes a categorization chart organized by each country's abortion laws. The PDF also lists all of the indicators in each country. It is updated and published several times a year. *Archived PDF maps for every three years since 2011 are available on request.*

Key Methodology

Updating abortion laws

As the map reflects the black letter abortion law in each country, we only update abortion laws on the map when a new law has been adopted and has entered into force. Before making any changes to the map, we contact the Center's closest regional team to confirm the adoption of the law.

- There are often several drafts of new legislation before the law is officially adopted and signed into law. If the legislation has been signed into law but is not immediately in effect, we add a note on the map in the "More Details" section and change the country's status only when the law has entered into force.
- Some national-level abortion laws are determined by decisions from the nation's highest court. For example, in 2022, Colombia's Constitutional Court issued a decision that permits abortion on request up to 24 weeks gestation and on additional grounds thereafter. The map reflects any decisions that are recognized by the country as the national level abortion law.

Countries with federal systems

Federalism is a form of government that combines both a central (or 'federal') system with regional (provincial, state, territorial etc.) systems. Countries with federal systems may or may not have a uniform and overriding law that affects the whole country. For countries with federal government systems, we determine whether a federal law exists and, if it does, whether it applies to all states in the jurisdiction (e.g., Argentina and Brazil), in which case we will illustrate that on the map. However, if there is no federal law, we look at the state laws, and rely on the law that applies to most women of reproductive age. As of September 2023, Australia, Mexico, and the US are the only countries that are reflected on the map at the sub-national level.

- Mexico and the US are categorized as "varies at state level" because current sub-national laws range from restrictive to broadly liberal abortion laws. In the U.S., state level abortion laws range from Category I (permitted on request) to Category IV (to save the pregnant person's life). Mexico will eventually move to Category I (on request) once most states adopt new laws to comply with the Supreme Court of Mexico's 2021 decision recognizing a constitutional right to legal, safe, and free abortion services early in pregnancy.

- Although abortion is also regulated at the state level in Australia, all Australian states permit abortion on request (Category I), but gestational limits vary. As a result, Australia is currently categorized as providing abortion on request with varying gestational limits.

Abortion laws in Commonwealth and former Commonwealth countries

The 1938 case, *Rex v. Bourne*, was a ground-breaking English decision that established a health exception to the criminalization of abortion. In England, *Bourne* influenced the Abortion Act of 1967, which permits abortion where the continuation of a pregnancy would harm the pregnant person's physical or mental health. *Bourne* has also significantly impacted other Commonwealth countries and former British colonies, with courts affirming *Bourne*'s prevailing legal authority and using it to amend or override legislation.

In many current and former Commonwealth countries, the *Bourne* exception to abortion criminalization is frequently adopted as common law or, at the very least, considered a highly persuasive authority. For many Commonwealth countries with restrictive abortion laws, it is unclear or disputed as to whether *Rex v. Bourne* applies. Therefore, for the World's Abortion Laws map, we only adopt this interpretation where it has been explicitly affirmed by the country's highest court, or where it is reflected in legislation.

Indicators

Health exceptions

The laws of countries allowing abortion on health grounds can vary in their formulation: some countries permit abortion only when the pregnant person's physical health is at risk; others have more general health exceptions that are open to judicial interpretation; and some explicitly include a risk to mental health. The abortion map includes indicators where countries have laws explicitly permitting abortion for mental health risks, and where abortion is only limited to protect the physical health of the pregnant person.

- For example, Zimbabwe and Monaco are the only countries that restrict abortion access to physical health.

Although the World Health Organization advises that countries permitting abortion on health grounds should interpret "health" to mean "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity," the abortion map reflects the text of the specific laws in effect.

Fetal diagnosis

Laws permitting abortion in cases of fetal diagnoses vary in their formulation. Some countries limit the exception to non-viable pregnancies or fatal fetal diagnoses, others require that the diagnosis be "serious" or "permanent," and some countries include a broad exception for fetal diagnosis. The abortion map reflects countries that permit abortion for fetal diagnoses in all of the aforementioned formulations.

While there is not current and consistent terminology being used across academia, law, and policy, we use the term fetal diagnosis as a more neutral term that is less likely to perpetuate stigma and discrimination on the basis of disability.

On the abortion map, we do not include a *fetal diagnosis* indicator where the exception is limited to a specific diagnosis. Instead, we add an *additional enumerated grounds* indicator to that country.

- For example, Brazil permits abortion in cases of anencephaly, but not other fetal diagnoses, and therefore that exception is covered under the *additional enumerated grounds* indicator.

Parental authorization or notification requirement provisions

We add a parental authorization (PA) indicator to any country that has a specific provision or law about parental authorization, even when the authorization is under the age of majority. For example, even though Spain recently lowered the parental authorization requirement from 18 to 16 years old, it still has a PA requirement indicator.

- We only use the PA when the provision is clearly and explicitly a requirement. Any country whose provisions indicate that the authorization is a mere suggestion does not count.
- We also do not include the indicator if there is an effective workaround for the authorization (e.g., where anyone over the age of 18 can provide consent in lieu of parents). However, we do include the indicator where there is a cumbersome workaround, such as a judicial authorization.

Sex-selective abortion

Sex-selective abortions have historically been used to limit the number of live female births. While some countries ban this practice, sex-selective abortion provisions are uncommon. Countries with explicit sex-selective abortion prohibitions include China, Nepal, Montenegro, and Kosovo. Other countries, like India, have laws forbidding disclosure of the sex of the fetus, but because these laws do not ban sex-selective abortions, they do not have this indicator on the abortion map.

Additional enumerated grounds

The map indicates where a country may have specific additional grounds that are not commonly found in other countries. Few countries have adopted exceptions on grounds outside the general list reflected on the map.

- For example, abortion may be permitted on additional enumerated grounds relating to such factors as the woman's age or capacity to care for a child. In Rwanda, an additional ground includes forced marriage, or if the pregnant person is themselves a minor. Guyana permits abortion past the gestational limit if the pregnancy is a result of failed contraceptives, or the woman has HIV.

Additional Information

For additional information, please email worldabortionlaws@reprorights.org.