

Complaint to the Special Rapporteur on Violence Against Women on Violence Against Women in Reproductive Healthcare Procedures

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Prepared by



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On the 24th of April 2019, in Oviedo, Asturias (Spain), a woman who had booked an independent midwife to have a home birth, decided upon reaching 42 weeks gestation to accept the monitoring that hospitals in Spain offer women who are overdue.

The monitoring didn't indicate any vital risk but despite this the doctor insisted on inducing birth.

The woman and her partner went for a walk to talk about how to proceed only to find upon return that the surgery had closed. They then decided to go home. Once at home the woman started her labour, but 24 hours later the police arrived at her house with an arrest warrant and forcibly took her to hospital with an induction order.

After some discussion the couple complied but upon arrival at hospital were then left for over an hour by themselves, which contradicts the emergency implied by the arrest.

After this the woman was taken to the antenatal ward where she continued labouring naturally. The day after a cesarean was performed due to "lack of progress", which to those of us familiar with childbirth is almost certainly the result of the incredible stress this woman was subjected to.

The Spanish community of professionals and non professionals that work not only for evidence based obstetric care, but also for its incorporation of and respect for human rights in pregnancy and childbirth are saddened and outraged.

We have taken action as a community and have created an international platform, including a movement with the hashtag #miparto/#mybirth to support this woman in a country where the choice of home birth is still not socially accepted nor covered by the Public Health Service and most media have portrayed the authorities approach as the right one with total disregard to the rights of the woman. We have also started a crowdfunding campaign in order to collect funds to legally assist the woman and her family.

The woman has initiated legal actions and Dona Llum has also personated in the case.

In Spain not only women who have chosen a home birth find their basic human rights violated: in 2016 the police forcibly took a woman in Barcelona from home by court order so she could be induced at the hospital. She had previously rejected the induction based on the grounds of gestational age, because all the tests proved the baby and herself were alright.

We do not accept the disrespectful manner in which health Spanish institutions and health professionals violate the rights of women, their babies and families and how far they take this violations by using institutions deemed to protect citizens against them.

From organizations such as El parto es Nuestro and Dona Llum we are advocating for evidence based and human rights respectful obstetric care.

We have at different points urged Health authorities to intervene and guarantee human rights of women in pregnancy and childbirth, to no avail. In fact, the Health Ministry usually just sides with health professionals and does not even offer an investigation or open dialogue regarding the matter.

Women and their families are left to fend for themselves alone against a system that discriminates them, told to go try seek justice in expensive and risky Court proceedings were they are at disadvantage, all of this while trying to recover themselves from an intense traumatic experience.

We are calling on you,, to monitor this process closely, and to consider launching an investigation on the systemic and institutional violations of women's rights to health and dignity in obstetric healthcare in Spain.