



President Joe Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

June 24, 2022

Dear Mr. President,

On behalf of the Board of Directors of Amnesty International USA¹, we write to you to urge you to take action to address the imminent and devastating human rights consequences following the Supreme Court's decision to overturn *Roe v. Wade*.

This decision has reversed nearly 50 years of legal precedent, and it has stripped away the constitutional right to abortion. This is an egregious attack on the reproductive rights of millions of people, and the implications of this ruling will result in the decimation of other rights in the coming years not only for Americans, but around the world.

Amnesty International USA notes with appreciation your past record of support for reproductive rights, and your recent comments made following the Supreme Court's decision on *Dobbs v. Jackson Women's Health Organization*. Given the gravity of the situation, we urge you to take further action to protect the human rights of those who can get pregnant. This includes taking executive action to protect the right to abortion and to ensure that legal abortions can be carried out in all states.

Protect the right to abortion

Multiple human rights bodies have repeatedly affirmed that abortion is a human right. Abortion is basic and essential healthcare, and denying the right to such healthcare for women, girls, and people who can become pregnant violates the rights to:

- Autonomy and privacy
- Liberty and security of person
- Equality, non-discrimination, and equal protection
- Health, life, and in some cases to be free from torture

All people should be able to make decisions about their own reproductive lives, and laws relating to abortion in the United States must respect, protect, and fulfill the human rights of pregnant people. Stripping away the right to abortion will have a cascade effect on other rights, including those pertaining to contraception or same-sex marriage.

Ensure access to legal abortion

The steep reduction in access to abortion care that will follow this reversal of *Roe* will be disastrous. Once states implement extreme bans, there will be an increase in pregnancy-related deaths. This will impact communities across the country but will more severely impact Black

¹ Amnesty International is an independent, Nobel Peace Prize-winning, global human rights movement of more than ten million people. Amnesty International USA is the movement's U.S.-based section.

women, who experience disproportionate rates of pregnancy-related deaths. Before the Supreme Court's decision, states were already quickly implementing restrictions in anticipation. Some of the most notable and restrictive bans have come from the states of Texas and Oklahoma. In Texas, a pregnant person cannot obtain an abortion after the sixth week of pregnancy, which is often before people are even aware that they are pregnant. The most restrictive abortion ban in the country currently in place is in the state of Oklahoma, where abortion is banned at the "moment of fertilization," which could also prohibit emergency contraception.

These extreme bans, and others like them, take away a person's ability to determine if or when they will have children, and they allow states to meddle in the private affairs and medical decisions of countless people. While states continue implementing bans on abortion, data has consistently shown that even when access to legal abortion is restricted, abortion procedures continue. Globally, abortion rates are nearly the same in countries where abortion is both broadly legal and prohibited altogether. Ultimately, these bans will not stop abortions; they will just prohibit people from accessing safe and legal abortions.

Mr. President, we are calling on you to take executive action to protect the right to abortion for millions of people. You have stated that you plan on making sure the medications for abortion remain fully available to all Americans, and we commend the announcement by the Department of Justice that states cannot ban mifepristone based on disagreement with the federal government on its safety and efficacy.

We urge you to take further, bold action to protect the right to abortion, including by instructing the Department of Justice to rigorously defend the right to abortion medication, mifepristone and misoprostol, including by ensuring patients can receive medication abortion through the mail and that the Department of Justice challenges state laws and roadblocks that arise impinging on that access. We further urge you to direct Health and Human Service Office of Civil Rights to strengthen and clarify the protection of people's data under the looming threat of states seeking such data to prosecute people for accessing care. Finally, we urge you to recognize the historic significance of this rollback of rights and its impact on public health and declare a public-health emergency, granted under the Public Health Service Act, and work to increase access to abortion health care for low-income people and mobilize federal resources, including providing reproductive healthcare on federal lands in states with severe restrictions.

Thank you for your urgent action.

Sincerely,

Amnesty International USA Board of Directors