

What is a choice if you can't choose?

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"The issue is not just to decriminalize abortion and ensure that access to contraception is a right. A law is just a piece of paper as long as it can't be used." - Gabriel de Barros, AMODEFA

You have the right to decide over your own body. You have the right to decide if you want to become pregnant. You have the right to decide if you want to continue your pregnancy. You have the right. You get to choose. But if there are no condoms or other contraception? If there is no clinic in your neighborhood, village or town? What if they are not equipped to perform an abortion or even know whether it is legal or not? Do you still have a choice? Is it still a choice if you can't choose?

The new penal code of Mozambique is an important step towards an equal and just rule of law in the country. Thanks to the struggle of civil society, many outdated and discriminating laws have been removed or reworked. If we look only to the legal aspect of things, much has been won. The problems arise when the law is to be turned into practice. This is the argument of Afrikagrupperna's partner organization AMODEFA whom work with sexual and reproductive health.

Mozambique has relatively liberal abortion laws. This was the case even before the new penal code was approved. The problem is that it cannot be used. Gabriel de Barros, executive director of AMODEFA tells us, "The law we have is far from perfect and it is important that we keep working on it. But as it is today, there is not even opportunity to use the rights that are there. We are talking about enormous distances to the clinics, lack of resources and lack of personnel with knowledge in the area of abortion." Because of this the number of unsafe abortions are high and it is not helped by the fact that many women does not even know that in a lot of cases, legal abortion is an option. "We often receive patients in our clinics who inserted objects or took traditional medicine in order to terminate the pregnancy. They don't know that there is help to get before taking such measures", says Dr. Marcelo Rufino Kantu.

It is all part of a pattern, explains de Barros. "Our country sets goals and makes laws that we afterwards don't honor. It is the same with the right to contraception. "We have an ambition but don't allocate enough resources to live up to those ambitions." During the setting of the so called "millennium goals" in the year 2000, Mozambique aimed for an availability of contraception of 34%. Today, only months before the goals are to have been reached, the availability is still a mere 11%. This means that only around one tenth of the population has access to any kind of contraception. This increases the pressure on a fully functioning health care system. However, the government does not disregard the issue out of ill will according to de Barros. "Malaria is still the biggest killer in the country, the focus is therefore on the availability of mosquito nets. But this priority is not sustainable. We have to start looking at sexual and reproductive health as a factor for development, not as an extra luxury." If this is done, then maybe the liberties that the new penal code entails can be brought into practice in real life.

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This is the second part in the series on the new Mozambican penal code. Read the first part [here](#). In the [next part](#) we will take a look at the rights of LGBT people as well as make a short compilation on the contents of the new penal code. Keep yourself updated!

Link to the original article (in Swedish): <http://sodraafrikaidag.se/2014/09/03/vad-ar-ett-val-om-du-inte-kan-valja/>