



Abortion Rights
Coalition of Canada

Coalition pour le droit à
l'avortement au Canada

POB 2663, Station Main, Vancouver, BC, V6B 3W3 • info@arcc-cdac.ca • www.arcc-cdac.ca

Position Paper #24

Sex Selection Abortions

Researchers and media in Canada periodically try to raise the issue of sex selection abortion in Canada. The concern is that female fetuses will more likely be aborted than male fetuses. Studies or media reports have focused on the possibility that certain ethnic groups in Canada may be practicing sex selection abortion in favour of male fetuses (2012¹, 2014², 2016³, 2017⁴).

In March 2004, the *Assisted Human Reproduction Act* was enacted into federal law. Among other things, this law prohibits the identification of the sex of an embryo except for sex-linked disorders or diseases. To this day, it's the only federal restriction linked to abortion, although other parts of this law were struck down in 2010.⁵ (The law mistakenly criminalizes non-traditional ways to get pregnant and has not been effective because people just go to the U.S.)

The Society of Obstetricians and Gynecologists (SOGC) has a 2013 policy against the selective abortion of healthy fetuses on the basis of gender, except for medical reasons.⁶ Other medical associations generally follow this principle, but do not withhold information. For example, the College of Physicians and Surgeons of BC has backtracked on its previous policy of withholding gender information from pregnant women.⁷ The SOGC also published a policy in 2012 against the non-medical use of fetal ultrasound, saying: "...ultrasound should not be used to take a picture of the fetus solely for non-medical reasons, to learn the sex of the fetus solely for non-medical reasons, or for commercial purposes..."⁸ This means that doctors can also provide information on gender in the context of a medical ultrasound.

ARCC suggests that the concern over sex selective abortion is overstated, and is mostly a reflection of abortion stigma, racism, and anti-choice strategy. While sex-selective abortion is practiced with some frequency in certain regions of other countries,⁹ sex selection against female fetuses appears to be a minor phenomenon in Canada, with little or no effect on our overall gender ratios (the sex ratio at birth for Canada is 105 male births for every 100 female births,¹⁰ which is consistent with the global average).

The few studies on sex-selective abortions in Canada have shown that the vast majority of people in ethnic communities do not practice sex selection. If they do, the effect is seen usually only in the second or third child when the preceding children were girls.^{2,3,4} Further, in the United States, parents appear to prefer female fetuses over male ones,¹¹ but no concern is expressed over whether this might lead to more sex-selective abortions of male fetuses.

ARCC-CDAC Position

In Canada, women do not have to provide a reason to obtain an abortion, since abortions are available upon request. Also, being pro-choice means supporting a woman's right to decide whether or not to continue a pregnancy for whatever reason, even if one personally does not agree with her reason. It is important to remember that we cannot restrict women's right to abortion just because some women might make decisions we disagree with.

Counselors, nurses, and abortion providers working in both clinics and hospitals are trained to ensure that each woman is comfortable and certain about her abortion decision, and that she is not having an abortion under pressure from her family, partner, peers, or culture. If a woman is in a dependent and vulnerable position within her family where she feels obligated to abort a female fetus or suffer serious personal consequences, these complex issues are dealt with in a compassionate and safe way. The woman's health and life are the primary concern. All necessary steps are taken to ensure that the woman's well-being is not put in jeopardy, which can mean ensuring that she has access to a safe abortion.

The issue of sex-selection abortions targeting female fetuses in particular is not so much about the abortion issue. The root issue is the value and respect – or lack thereof – that society and certain cultures give to girls and women. The answer lies in education and raising the status of girls and women over the long-term, not in restricting abortion. Solutions must be community-led, not dictated by law.

Political Actions Against Sex Selection Abortion

In 2012, Motion 408 was introduced by Conservative MP Mark Warawa (Langley—Aldergrove). His motion urged “the House [to] condemn discrimination against females occurring through sex-selective pregnancy termination.”¹²

MP Warawa and the anti-choice movement were attempting, through M-408, to use the controversial issue of sex-selective abortions as a wedge by which to reduce support for abortion rights and pave the way for restrictions. Warawa has a 100% anti-choice voting record in Parliament. However, attacks on abortion rights are no longer tolerated in Parliament – even former Conservative Prime Minister Stephen Harper committed to not “re-open the abortion debate.” Anti-choice MPs have taken to cloaking their motions and bills so that they do not appear to be about abortion. Instead, they may claim to protect human rights or women’s rights. M-408 was one example of this.

Despite misleading language of advocating for gender equality, the real goal of M-408 was to establish a toehold from which to restrict abortion as far as possible. M-408 faced widespread opposition, with only 20 special interest groups supporting the bill, 17 of which were explicitly religious or anti-choice. Mainstream media outlets recognized that while Warawa marketed his motion as a way to “protect girls” (despite his party’s unfavourable record on defending women’s rights), his true aim was to restrict abortions.

M-408 was not successful. The motion was deemed “out of order” in March 2013 by a committee in the House of Commons comprised of Conservatives, Liberals and NDP representatives, and did not proceed to the House of Commons for either a debate or a vote. This prompted an unprecedented

revolt in Parliament by Warawa and 20 other Conservative MPs.¹³ However, Harper quelled the revolt, and Warawa's appeal of the decision was denied.¹⁴

Warawa re-introduced a similar motion in October 2016: M-77, "A Motion to Protect Girls."¹⁵ The motion calls for Parliament to condemn "a violent form of gender-based discrimination, known as sex selection." The motion is not expected to go anywhere, given the current Liberal majority government and Prime Minister Trudeau's feminist commitment to whip the Liberal vote against any private member's bill or motion that might impact abortion rights.

Former Conservative MP Pierre Lemieux (Glengarry-Prescott-Russell) joined the Conservative leadership race in 2016. Lemieux, who has the support of the anti-choice group Campaign Life Coalition, has pledged to "take action" against sex-selective abortion if he secures the Conservative leadership.¹⁶

-
- ¹ Vogel, Lauren. January 16, 2012, Sex Selection Migrates to Canada. *CMAJ*. <http://www.cmaj.ca/content/184/3/E163>
 - ² Kirkey, Sharon. February 19, 2014. Rise in sex-based abortions prompts doctors to call for end to ultrasounds that only determine gender of fetus. *Postmedia News*. <http://news.nationalpost.com/news/canada/rise-in-sex-based-abortion-prompts-doctors-to-call-for-end-to-ultrasounds-that-only-determine-gender-of-fetus>
 - ³ Leung, Wency. April 11, 2016. Some couples in Canada practising prenatal sex selection in favour of male fetuses, studies suggest. *The Globe and Mail*. <https://www.theglobeandmail.com/life/health-and-fitness/health/some-couples-in-canada-practising-prenatal-sex-selection-in-favour-of-male-fetuses-studies-show/article29583670/>
 - ⁴ Howlett, Karen. Apr 24, 2017. Study finds gender imbalance in children born to Indo-Canadian women. *The Globe and Mail*. <https://www.theglobeandmail.com/news/national/study-finds-gender-imbalance-in-children-born-to-indo-canadian-women/article34794700/>
 - ⁵ Weeks, Carly. Feb 15, 2015. We need to talk about assisted reproduction in Canada. *Globe and Mail*. <https://www.theglobeandmail.com/life/health-and-fitness/health/we-need-to-talk-about-assisted-reproduction-in-canada/article22988791/>
 - ⁶ Society of Obstetricians and Gynecologists. 2013. *Statement on Gender Selection*. <https://sogc.org/wp-content/uploads/2013/01/gui198EPS0711.pdf>
 - ⁷ College of Physicians and Surgeons of BC. Jan 2012. *Disclosure of Fetal Sex*. <https://www.cpsbc.ca/files/pdf/PSG-Disclosure-of-Fetal-Sex.pdf>
 - ⁸ Salem, Shia. Kenneth Lim, Michiel Van den Hof. February 2014. Joint SOGC/CAR Policy Statement on Non-medical Use of Fetal Ultrasound. Vol 36:2, Pp 184–185. *Journal of Obstetrics and Gynaecology Canada*. [http://www.jogc.com/article/S1701-2163\(15\)30666-6/fulltext](http://www.jogc.com/article/S1701-2163(15)30666-6/fulltext)
 - ⁹ Wikipedia. Sex-selective abortion, Other countries. https://en.wikipedia.org/wiki/Sex-selective_abortion#Other_countries
 - ¹⁰ Statistics Canada. 2016. Live births, by birth weight and sex. <http://www.statcan.gc.ca/tables-tableaux/sum-som/101/cst01/health103a-eng.htm>
 - ¹¹ Ingender. Nd. *Gender Preference in the United States*. <http://www.ingender.com/XYU/Gender-Preference/>
 - ¹² Arthur, Joyce. March 2013. *Motion 408: The Pretender*. Abortion Rights Coalition of Canada <http://www.arcc-cdac.ca/action/m408-pretender.html>
 - ¹³ Arthur, Joyce. Spring 2013. Failure of Motion 408 triggers unprecedented revolt against Harper. *The Activist* (Abortion Rights Coalition of Canada). <http://www.arcc-cdac.ca/newsletters/spring-printemps-2013.pdf>
 - ¹⁴ Stone, Laura. March 28, 2013. Committee rejects Conservative MP's abortion motion, again. *Global News*. <http://globalnews.ca/news/437643/437643/>
 - ¹⁵ Warawa, Mark. Oct. 19, 2016. *Warawa Calls on Parliament to join Canadians and world leaders in condemning gender-based violence*. <http://www.markwarawa.com/stop-gendercide/m-77/>
 - ¹⁶ Blatchford, Andy. Dec. 11, 2016. *It's time to debate sex-selective abortion, Tory leadership hopeful Pierre Lemieux says*. Canadian Press. <https://www.thestar.com/news/canada/2016/12/11/its-time-to-debate-sex-selective-abortion-tory-leadership-hopeful-pierre-lemieux-says.html>