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## **Viability and resuscitation**

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Second trimester abortion

### Policy in the Netherlands

Role of government  
*legislation*

Role of professional bodies

*Dutch Society of OB/GYN*  
*Dutch Society of Pediatrics*

Second trimester abortion

### Legislation

Pregnancy Termination Act (1984)

20 sections

Upper limit for second trimester abortion  
is not mentioned

Pregnancy Termination Act (1984)

- abortion conducted by medical doctor  
in licensed clinic or hospital
- explicit request by the woman
- the request is voluntary
- 'acute situation'
- no alternatives
- 5 days of 'consideration'
- adequate after-care

### Pregnancy Termination Act (1984)

- separate license for second trimester abortion
- notification of the Health Care Inspectorate including a list of anonymous items
- criminal offence if doctor does not comply with legislation
- doctor is entitled to refuse abortion

### Jurisdiction and agreements

#### Hospital

abortion up to 24 weeks' gestation is allowed (best obstetric estimate)

#### Abortion clinic

abortion up to 22 weeks' gestation is allowed (best obstetric estimate)

### Late abortion (» 24 weeks' gestation)

Formally not allowed (criminal offence) unless fetal condition is lethal (e.g., anencephaly)

Note: special circumstances in the case of very poor prognosis (irreparable vital functions, e.g., large spina bifida)

### Late abortion (» 24 weeks' gestation)

It is mandatory to report every 'late abortion' to the local authorities as 'unnatural death'

➔ Forensic doctor should be notified

Professional bodies

Dutch Society of OB/GYN

anonymous analysis of late pregnancy terminations; structured evaluation of procedure by peers

No consensus on feticide

No formal guidelines in case the life of the pregnant woman is threatened

Professional bodies

Dutch Society of Pediatrics

End-of-life practice without an explicit request of the patient (infant)\*

Guidelines for the treatment of infants born very prematurely

\* Van der Heide et al. End-of-life decision-making in six European countries: descriptive study. Lancet. 2003;362(9381):345-50.

Groningen protocol\* on 'euthanasia in severely ill newborns' accepted by the Dutch Society of Pediatrics (2005)

\* Verhagen E, Sauer PJ. The Groningen protocol-euthanasia in severely ill newborns. N Engl J Med. 2005;352:959-62.

Policy on 2<sup>nd</sup> trimester abortion in the Netherlands

Conclusions

1. Abortion up to 24 weeks' gestation is legal
2. 5 days 'consideration period'
3. 'the acuteness' of the situation is ill-defined

## Policy on 2<sup>nd</sup> trimester abortion in the Netherlands

### Conclusions (cont.)

4. Abortion can only be conducted in licensed clinics or hospitals
5. Registration at the national level is mandatory
6. Non-compliance by the care-giver is a criminal offence

## Policy on 2<sup>nd</sup> trimester abortion in the Netherlands

### Discussion

#### Serious fetal congenital anomalies:

- 24 weeks' is an arbitrary cut-off for legal abortion
- Role of a national expert committee  
note: abortion is still regulated by criminal law
- Ethical and moral issue of feticide

## Policy on 2<sup>nd</sup> trimester abortion in the Netherlands

### Discussion (cont.)

- National discussion to promote adoption as an alternative to abortion..