

Resolution

A HUMAN RIGHTS RESOLUTION ADVOCATING THE RIGHT OF ALL NORTH CAROLINIANS TO SAFE AND COMPREHENSIVE REPRODUCTIVE RIGHTS, HEALTH CARE

Reproductive Rights are Human Rights Resolution

WHEREAS, the Carrboro Town Council has a history of supporting full access to safe, comprehensive reproductive health care—such as by unanimously adopting “A Resolution Calling for Repeal of the Hyde Amendment and Supporting the Right of All Women to Safe and Comprehensive Health Care” in 2018—and rejects in the strongest terms Senate Bill 20 and other legislation aimed at limiting or denying access to abortion; and

WHEREAS, on June 24, 2022, the United States Supreme Court in *Dobbs v. Jackson Women’s Health Organization* overturned *Roe v. Wade* and *Planned Parenthood v. Casey* and eliminated the federal constitutional right to abortion in the United States; and

WHEREAS, the *Dobbs v. Jackson Women’s Health Organization* decision subsequently allows for dozens of other states to pass legal barriers that fully ban abortion, and allows many others to not only severely restrict abortion, but also many other forms of reproductive healthcare, including contraception, fertility treatments, gender-affirming care, among others; and

WHEREAS, on May 16, 2023, the Carrboro Town Council resolution resolved the right of all people to access the full spectrum of reproductive healthcare, including abortion; and

WHEREAS, the Carrboro Town Council further commended Senator Graig Meyer and Representative Allen Buansi for voting against Senate Bill 20; supported Governor Roy Cooper’s decision to veto Senate Bill 20; and encouraged members of the North Carolina General Assembly to uphold the Governor’s veto; and

WHEREAS, the Carrboro Town Council further resolved to urge the delegation in the North Carolina General Assembly to prioritize the health care needs of all residents, to reject further attempts to restrict access to abortion, and to increase investment in access to health care, affordable birth control including emergency contraception, and comprehensive age-appropriate sex education; and

WHEREAS, the Carrboro Town Council further resolved to encourage residents of Carrboro to speak out against these egregious attacks on bodily autonomy and make their views known to members of the General Assembly; and

WHEREAS, since June 24, 2022, when the Supreme Court overturned *Roe v. Wade*, there has been increased risk of criminalization of abortion seekers, those who help them and abortion providers; and

WHEREAS, pregnant people who have been denied abortion care suffer many adverse consequences, including putting their health, fertility, and lives at risk, being forced to carry nonviable pregnancies to term, and being criminalized for miscarriage, the circumstances of their pregnancies, abortions, and other pregnancy outcomes; and

WHEREAS, from 2006 to 2022, almost 1,400 people were arrested in the United States in relation to the circumstances or outcomes of their pregnancy, including pregnancy loss, and prosecutions overwhelmingly targeted people with low incomes; and

WHEREAS, the retrogression on abortion rights in the United States is inconsistent with the United States’ obligations under international human rights law; and

WHEREAS, treaties ratified by the United States should be upheld at the federal, state and local level as they are considered binding on individual States and are the “supreme Law of the Land” under clause 2 of Article VI of the United States Constitution; and

WHEREAS, the United States has ratified, and is bound by, the *International Covenant on Civil and Political Rights (ICCPR)*, the *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)*, and the *Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT)*; and

WHEREAS, the United States has joined the international community in identifying reproductive rights as human rights, including in connection with the 1994 *International Conference on Population and Development*, and the 1995 *Beijing World Conference on Women*; and

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WHEREAS, the United Nations Human Rights Committee has repeatedly found that abortion bans violate multiple human rights the United States is bound to protect, including the rights to life, privacy, freedom from torture, cruel, inhuman, or degrading treatment or punishment, and equal protection; and

WHEREAS, the United States has been reviewed by two treaty monitoring bodies since the *Dobbs v. Jackson Women's Health Organization* decision—the ICCPR and the ICERD—and the United Nations Human Rights Committee has called on the United States Government at all levels—federal, state and local—to uphold our human rights obligations under these treaties, including protecting sexual and reproductive health and rights; and

WHEREAS, no one should be criminalized for any pregnancy outcome and no one should be criminalized for providing essential healthcare; and

WHEREAS, punishing people for their pregnancy outcomes and the circumstances of their pregnancies or for providing essential reproductive and sexual health care violates their human rights; and

WHEREAS, the threat of criminalization or prosecution can intimidate people from seeking or providing care; and

WHEREAS, Indigenous people, Black people, People of Color, people with low incomes, people living in rural areas, people with disabilities, immigrants, LGBTQ+ individuals, and other marginalized individuals are disproportionately likely to be surveilled, arrested, charged, prosecuted, convicted, and heavily punished within the American criminal justice system and, due to systemic discrimination, to experience additional scrutiny from the American legal system; and

WHEREAS, the United Nation Human Rights Committee's (UNHRC) concluding observations express deep concern over “the criminalization of various actors in connection with their role in providing or seeking abortion care, including health care providers, persons who assist women to procure an abortion, notably family members, and pregnant women seeking an abortion”; and

WHEREAS, the UNHRC explicitly recommended that the United States government take all measures necessary at the federal, state, local, and territorial levels to put “an end to the criminalization of abortion by repealing laws that criminalize abortion, including laws that apply criminal sanctions to women and girls who undergo abortion, to health service providers who assist women and girls to undergo abortion, and to persons who assist women and girls to procure an abortion”; and

WHEREAS, in March 2024, a pregnant woman sought attention for stomach pain at Person Memorial Hospital in Roxboro, North Carolina, but was sent away without being told of the risk she faced; and

WHEREAS, she ended up giving birth in her car while en route to another hospital 45 minutes away and her baby did not survive, causing her to suffer an egregious human rights violation; and

WHEREAS, this case and many others are occurring despite the fact that North Carolina does not have a full abortion ban; and

WHEREAS, there is a tangible chilling effect in North Carolina from other states where abortion bans carry heavy fines and sentences and where providers, abortion seekers, and those who help them fear grave consequences for accessing health care; and

WHEREAS, North Carolina has infringed upon and violated the human rights of North Carolinians by restricting access to abortion, most recently with Senate Bill 20, the abortion ban that arbitrarily bans abortion at 12 weeks; and

WHEREAS, in North Carolina the overall maternal mortality rate is higher than the U.S. average, and in 2021 was 44 deaths per 100,000 births; and the maternal mortality rate for Black women and Black pregnant people is almost three times that of white women and white pregnant people; and

WHEREAS, reproductive justice is rooted in bodily autonomy and will be achieved only when all people have the economic, social, and political power and resources to make their own decisions about their bodies, health, sexuality, families and reproduction; and

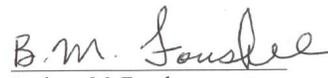
WHEREAS, this resolution aligns the Town of Carrboro, North Carolina with its human rights obligations under the International Covenant on Civil and Political Rights in accordance with Article VI, clause 2 of the Constitution; and

NOW, BE IT THEREFORE RESOLVED that the Carrboro Town Council

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1. *condemns the criminalization of abortion and condemns the criminalization of any circumstances or outcomes of a person's pregnancy in the United States and in North Carolina;*
2. *affirms that all people deserve access to high-quality healthcare without fear of government interference or punishment;*
3. *affirms that reproductive rights and abortion rights are human rights;*
4. *urges state, county, and local municipalities that impose restrictions harmful to pregnant people to repeal those restrictions;*
5. *urges the North Carolina Executive, Legislative, and Judicial branches to—*
 - a. *repeal North Carolina's criminal abortion laws and restrictions;*
 - b. *prohibit the prosecution of people for having abortions or for any other circumstances or outcomes of their pregnancies;*
 - c. *protect and guarantee full human rights, including the right to abortion care and reproductive healthcare, for all North Carolinians; and*
 - d. *affirms that North Carolina has an obligation to implement and protect human rights.*

This the 12th day of September, 2024


Barbara M. Foushee

