

## RUSSIAN FEDERATION

Documents (or partial) included below:

Decree No. 485 of 11 August 2003 on the List of Social Indications for Induced Termination of Pregnancy.

Criminal Code of The Russian Federation, No. 63-Fz, of June 13, 1996

Law No. 5487-1 of 22 July 1993 on Fundamentals of Russian Federation Legislation on Public Health Care.

Criminal Code of the RSFSR (as of 1 October 1934, and amended in 1937)

Decree of 1936, On the Prohibition of Abortions

Decree of October 18<sup>th</sup>, 1920

### **Decree No. 485 of 11 August 2003 on the List of Social Indications for Induced Termination of Pregnancy.**

Pursuant to Article 36 of the Basic law of the Russian Federation on public health care (Records of the Congress of People's Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation, 2003, # 2, Article 167), the Government of the Russian Federation has decreed the following:

1. To approve the attached List of social indications for induced termination of pregnancy (abortion).
2. The Ministry of Health of the Russian Federation shall review its rules and regulations to make them consistent with this decree.
3. To recognize as void Decree # 567 of the Government of the Russian Federation, dated May 8, 1996 "On the approval of a list of social indications for induced termination of pregnancy" (Code of Laws of the Russian Federation, 1996, #20, Page 2355).

### **List of social indications for induced termination of pregnancy (abortion):**

- A court ruling related to depriving a person of parental rights or restricting one's parental rights.
- Pregnancy resulting from rape.
- Incarceration in a detention center.
- Husband's disability of Category I - II or husband's death at the time of the spouse's pregnancy.

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### **Criminal Code of The Russian Federation, No. 63-Fz, of June 13, 1996**

#### **Article 111. Intentional Infliction of a Grave Injury**

**1.** Intentional infliction of a grave injury, which is hazardous for human life ... or which has involved the interruption of pregnancy, ... -

Shall be punishable by deprivation of liberty for a term of up to eight years.

## **Article 123. Illegal Performance of Abortions**

**1.** Performance of abortions by a person who lacks higher medical education of an appropriate specialization

Shall be punishable with a fine in an amount of up to 80 thousand rubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of up to 480 hours, or by corrective labour for a term of up to two years.

## **2. Abolished**

**3.** The same deed, if it has entailed - by negligence - the death of the victim or the infliction of grave injury to her health,

Shall be punishable by compulsory labour for a term of up to five years accompanied by deprivation of the right to hold specified offices or engage in specified activities for a term of up to three years or without such or by deprivation of liberty for a term of up to five years accompanied by deprivation of the right to hold specified offices or engage in specified activities for a term of up to three years or without such.

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## **Law No. 5487-1 of 22 July 1993 on Fundamentals of Russian Federation Legislation on Public Health Care.**

### **Article 36. Artificial abortion.**

Every woman has the right to decide independently the question of motherhood. Artificial abortions are performed at a woman's request within the first 12 weeks of the gestation period, when socially indicated within 22 weeks, and any stage of pregnancy whenever medically indicated and with the woman's consent.

Artificial abortions are performed within the limits of programs of mandatory health insurance in institutions licensed for this type of activity by physicians with special training.

The list of medical indications for artificial abortion is determined by the Russian Federation Ministry of Health and the list of social indications, according to the statute approved by the Russian Federation Government.

Illegal abortions are subject to criminal liability as established by legislation of the Russian Federation.

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## **Criminal Code of the RSFSR (as of 1 October 1934, and amended in 1937)**

**Section 140.** Performance of abortions in a hospital or lying-in home, except in circumstances, when continuation of the pregnancy represents a threat to the life

or threatens serious damage to the health of the pregnant woman, or likewise in the presence of hereditary transmission of serious illnesses from the parents,—

Incurs for the doctor performing the abortion imprisonment for a term of one to two years.

Performance of abortions outside hospitals or lying-in homes shall, in all cases, incur for the doctor performing the abortion the same punishment.

Performance of abortions in unsanitary conditions, or by persons not having special medical training,—

Imprisonment for a term not less than three years. [10 May 1937 (SU No. 6, article 40)]

**Section 140-a.** Compelling a woman to have an abortion,—

Imprisonment for a term up to two years. [10 May 1937 (SU No. 6, article 40)]

**Section 140-b.** Having an abortion, except in circumstances where it is allowed by law, shall incur for the pregnant woman herself on the first occasion,—

Public censure, and, on a repeated violation, a fine up to three hundred rubles. [10 May 1937 (SU No. 6, article 40)]

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<http://www.cyberussr.com/rus/uk136-e.html>

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### **Decree on the Prohibition of Abortions, 27 June 1936**

1. Abortion, in view of the undeniable harm which it causes to health, is forbidden, whether in hospitals or in special nursing homes, or in private houses of doctors or pregnant women. Abortion may be induced only when continuation of the pregnancy puts the woman's life in danger or threatens to cause serious injury to her health, or else in cases of severe hereditary diseases of the parents, and then it may only be effected in hospitals and in maternity homes.

2. If an abortion is performed outside a hospital, or in a hospital but in contravention of the above, the doctor who has performed the operation is liable to a term of imprisonment of between one year and two years. If an abortion is performed in unhygienic surroundings, or by a person who is not medically qualified, the punishment shall not be less than three years detention.

3. Where the woman is induced by some other person to undergo abortion, that person shall suffer detention for two years.

4. Pregnant women who undergo abortion in contravention of the above, shall be punished by public reprimand, and, if the offence is repeated, by a fine of up

to 300 rubles.

Sources: Izvestiia, June 28, 1936, U.S.S.R. Laws 1936, text 309; and <https://www.marxists.org/history/erol/ca.firstwave/cpl-abortion/section5.htm>

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## **Decree of October 18<sup>th</sup>, 1920**

During the last decade the number of women who terminate their pregnancy prematurely increased both with us and abroad.

The legislation of all countries struggles against this evil by punishing both the woman who is guilty of abortion and the operating physician.

This method of struggle has been ineffectual. Abortions were necessarily made in secret and the women very often became the victim of mercenary ignorant persons who traded in this secret operation.

As a result, 50% of women fell ill of infections after abortions and 4% of them died.

The workers' and peasants' Government realizing the dangers of such a situation has undertaken a campaign against secret abortions among working women.

It foresees that this phenomenon will gradually disappear with the building of socialism.

But until now the surviving traditions of the past and the heavy economic conditions of the present compel a good many women to have recourse to this operation. The People's Commissariat of Health and the People's Commissariat of Justice are convinced that methods of repression are completely useless in this case.

In order to preserve the health of women and the interests of the race from ignorant and greedy quacks these two commissariats decree:

- (1) The operation known as abortion may be fully performed free of charge in Soviet hospitals where the conditions guarantee a maximum of (protection from) injury.
- (2) All persons who are not licensed doctors are strictly prohibited from performing abortions.
- (3) The midwife guilty of performing this operation is deprived of the right to practice and is liable to punishment by the People's Courts of Justice.
- (4) The physician performing abortion in the course of his private practice

with a mercenary purpose is liable to punishment by the People's Courts of Justice.

Sources: <http://alphahistory.com/russianrevolution/soviet-decree-on-abortion-1920/> ;  
<https://www.marxists.org/history/erol/ca.firstwave/cpl-abortion/section5.htm>