

FROM TEACHING  
ABORTION ON  
PAPAJAS TO  
FIGHTING FOR  
DECRIMINALIZING  
ABORTION

Marieke Bea  
(Doctors for Choice  
Germany)

**This interview was made on Saturday,  
the 18th of June 2022, at 12:30 pm.**

**by Alexandra Ivanciu and Jolanta Nowaczyk**

**Thank you Rieke for accepting to talk with us.  
Could you say a few words about yourself?**

I am 30 years old and I am a medical doctor. I am not doing my specialization in gynecology right now but I've always been interested in that so I joined the Doctors for Choice<sup>1</sup>, which was founded only 3 years ago. Right now I'm studying a master's program which is called Medical Ethics and Medical Law. Also, I'm writing my final thesis about a certain paragraph in the German abortion law.

**What about medical education in Germany? What did they teach about contraception or abortion?**

I think the teaching content regarding contraception is more detailed than about abortion. Less taboo, basically we talk about different options. Maybe we can criticize them for not being critical enough about the pill, and not pushing enough for the need to have male contraception, but they are covering most methods of contraception. And for abortion... It's a huge lack because there is no medical education. They always discuss the ethical and legal circumstances of abortion. Actually, before I joined Doctors for Choice I didn't know how abortion is performed in Germany. Or in general. So that was really weird, I didn't know there are two different methods, how are they done, and what does it mean. Also, I don't think I learned how many abortions there are in Germany. So in the gynecologist module it was about the laws, which is weird, because it should be about medicine. And in the medical ethics module, we were talking about the ethics of late abortions. Which are the tiniest part of all the number

of abortions. Maybe 4% of all abortions in Germany are late medical abortion. We call them "medical" because that's how we categorize them. Majority, around 96-97% are abortions on request and we didn't talk about that at all.

**You categorize them as abortions on request before 14 weeks and medical abortions when there is a medical indication, right?**

Exactly.

**If we talk about categories and how does it look like in Germany? Maybe you could tell us about the most popular methods.**

The method used doesn't really depend on the week of pregnancy. In Germany, it's allowed to perform a medical abortion until 63 days so it's 9 weeks of pregnancy. You count the pregnancy from the first day of your last period. The week of pregnancy you count... also in Germany, there is always this confusion if it comes to the week of pregnancy... In the medical field, you count the pregnancy weeks from your last period, not from the conception because it's less accurate. And no one really knows where the conception was. This is why there is this misunderstanding because the law says 12 pregnancy weeks from the conception. But we count the pregnancy weeks from the period and that makes it 14 weeks. So it's either 7 or 9 weeks until the medical method is allowed and after that, you can use the vacuum aspiration...

**...and by medical you mean by pills?**

Yes, yes. It's maybe not the right translation.

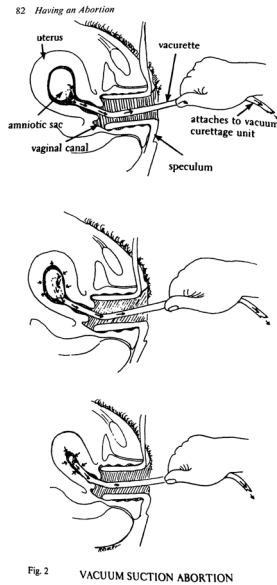
**We can call them “pharmacological” by pills, and “medical” if it’s for medical indications.**

Yes, exactly! And then, in later pregnancy it depends. I talked to a friend who works in the Uni Klinik in Leipzig and they perform all kinds of abortions, which is rare. And then it depends, already at the end of the request period, sometimes it’s hard to do the vacuum because the fetus can be bigger, so sometimes they use pincers to support it or they do it like a later pharmaceutical one, when you have to give birth. And late abortions are also medical - then you need to give birth.

The sad thing is that in Germany we are lacking regulations about what is the standard, and how to perform it, because it’s a taboo, so we still have 10% of abortions done by curettage. Which is totally not ok. And there are also regional differences - in some federal states they still use it a lot, and for example, in Berlin they are more progressive, they use more the pharmacological method.

**I was wondering how do you tackle the ethical aspect of late abortion in the University and who runs this kind of courses?**

It’s run by a medical doctor with an extra education in ethics. It’s basically always this question if we are treating life as less valuable if you have a disabled child. Or is it more important to give a woman the freedom to choose to have a healthy baby or not? It was more about the disability aspect. While I was still studying, there was this movie “24 weeks” released, and it was also really popular when it comes to medical abortion. It follows a couple during their decision of terminating the pregnancy.



It was even produced in the Uni Klinik in Leipzig and they show very closely how this is done.

**Can a pregnant person who is in late pregnancy choose how to have an abortion? Because you mentioned that they have to give birth and that can be very traumatising. So I was wondering if there is any other way because in Holland they don’t induce, but they use other methods, so the person can stay under anesthesia.**

No, here they cannot really choose... So it’s like they say: either it’s an easy procedure or the woman has to face it! Basically... They also have to adapt to the clinic that provides and if it is a late abortion on request, you are supposed to pay yourself or ask your health insurance to cover it. And if you deliver it, this costs you a lot of money, so the hospital tries to make it faster for you.

**And how is it with the medical indications?**

Indication says: if the health, maybe physical, maybe mental of the woman is at danger - then you can have an abortion because of medical indication.

**In Poland, abortion is still legal when the mother’s health is at risk. But it doesn’t really define what “health” means. So there is an organization FEDERA that helps people to access abortion by contacting a psychiatrist from their network. They can write the indication because of your mental state.**

That’s really good, we should do it here. Here the doctors would rather say: go to Holland, instead of making a network like that.

## **Maybe we could talk about the law for doctors who provide abortions?**

There are basically two parts of German abortion law. There is the criminal law and there is the civil law. The most important foundation of it all is this paragraph that was introduced into criminal law in 1871, so 150 years ago. That paragraph is saying that abortion is prohibited and it's also penalized. There were some changes, but the fundamental content is still the same. So there is paragraph 218 which says that it's prohibited and you either have to pay a fine penalty or you go to prison for 3 years, the pregnant person less than the doctor who performs it. And then there is paragraph 218a which was made in 1995, and this one says under which circumstances abortion is either legal (for medical and criminal indications) in which ones it's tolerated and penalty-free but still illegal and that's the one on request.

That's basically what the doctors should comply with. For the request abortion, 3 criteria need to be met: the pregnancy cannot be older than 12 weeks, they have to do consultancy and the woman should have 3 full waiting days between the consultancy and the procedure. Under those circumstances, the doctors are not punished. And there is an extra law that became very famous in the last years, which is prohibiting even speaking freely about which abortions you provide exactly, what methods, details. This one was challenged in the last years and will finally be removed from the criminal law next week.<sup>2</sup>

**Next week?!**

Next Thursday! Reason for a party!

**That's really amazing! And what happens if the pregnant person is caught doing her own abortion? Would she be punished?**

No. Women are not punished if they are caught trying to make an abortion but the doctor who is caught is punished.

**It's the same in Poland actually. Never a pregnant woman would be punished, but only the person who helps her. Either when it's by getting the pills or performing an abortion...**

There is one paragraph I don't really understand: in really bad circumstances, if the abortion is done until the 22nd week, then also the pregnant person is not punished or something. I need to read it... But why is it so cryptic? Can't we just talk like normal people?

**I guess the law is never for normal people...**

Ok, so since we talked about this law changing, maybe you can tell us a bit about what were the strategies of resistance in the last few years. I know there were a lot of protests, especially for those doctors who were charged and so on, which basically helped to change the law.

I think it's really interesting how the protest was coming from civil society, from feminist activists, from women's rights activists. But I feel like physicians were not really solidarizing with those famous doctors and there were 4 in total who were sentenced. But I thought it should have been more uplifting for the whole medical sector, which it wasn't. It was all by the civil society and the feminists. This doctor who was

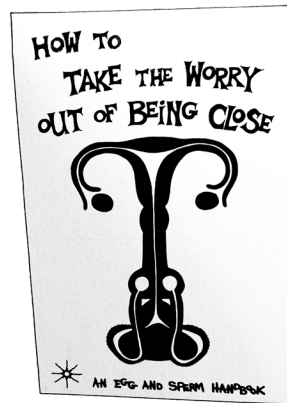
<sup>2</sup> Paragraph 219a, prohibits the "promotion" of abortion, was consigned on June 24th 2022.

sentenced, Kristina Hänel, was sentenced because of her homepage, where she had a PDF document in order for the people to know what to bring, like a towel, some tea, how the procedure actually works, what time to arrive and so on, and that was the criminal act. That was leading to all those protests.

And then the government in 2018 or 2019, they were saying: ok, this is the law that needs to be reformed, because doctors shouldn't be charged for providing medical information. And then they did this reform, by adding another paragraph to this paragraph 219a, and they made clear that the doctors are allowed to say that they perform abortions but they have to put a link to the official website where there are details about abortion. So it was a really weird construction, and again - this same doctor was sentenced again. Because her trial was challenged, she said: ok, let's redo it, she did a contestation but she was sentenced again. So we can really see that this reform had no effect whatsoever.

Women still struggled with where to find information, where to go. The government said they are introducing the list for all Germany where all the doctors who perform this procedure can voluntarily be on. But of course, not all the doctors want to be on it, because there are anti-choice people who would come and annoy them. This list doesn't really help any woman who is trying to find a doctor to treat her.

Now we have a new government since last winter, which is built by the Greens, SPD and the Liberals, and they want to kick this paragraph from the criminal law, and even maybe consider decriminalizing abortions, all together. But this will be a long way. There will be a lot of resistance against



this. It's still a first step and we need to keep pushing. It's not enough to just kick out the paragraph that prohibits talking about abortion, we need to get to the basement of the whole thing.

**I wanted to ask you, speaking of prohibiting talking about abortion and lack of information. What about sex education in Germany? Maybe your experience in school?**

I remember it was a part of my biology class. When I think about it now, we were really childish about it. We were teenagers, we were like hihhi, period, tampon, hihhi. It was not really showing real problems that arise, like talking about consent, equality. Maybe it has changed in the last 15 years. No one is against sex education, not even the church. They say ok, we need some sex education. But I can't say anything about the quality to be honest.

**What about access to emergency contraception and also how it is regulated in Germany? How many people know about it?**

I think that was a really successful move to make it available for free for everyone, without seeing a doctor and having a prescription, this was in 2015. And there were some protests even by doctors, who were afraid that they would be used wrongly. Today it is available in pharmacies and it's open information about it.

**I even found a website on the brochures we got from one pharmacy - pille-danach.de.**

Good title! For me, for example, when I was doing my Erasmus abroad for a year, I checked before, looking up if I would be

able to get this over there when I needed it. I really understood how essential it is for freedom.

**Yes, I also have one with me from Romania. I just didn't want to be in the situation of going from pharmacy to pharmacy. Just to have it at any time at home if I need it.**

**One of the most important questions - we mentioned Doctors for Choice many times, but what are actually Doctors for Choice doing?**

Doctors for Choice is relatively new, it's similar to Doctors for Choice in other countries. The founder is a huge inspiration to me, because she actually founded a first-ever uni-club called Medical Students for Choice, and when she graduated as a doctor, she founded Doctors for Choice. I always wonder why we are only 200 members until now. I think that it has to do with some radical demands we have, for example - besides decriminalization and providing abortions, we also say that we want to contest this aspect in the law: every doctor can not be forced in an abortion procedure. If this is done on a very big scale and everyone says that and you don't even have to say why you don't want to participate, then we can have a problem. Because it's contradictive. We have a law that says every woman should have access to an abortion but on another hand, we say: no professional has to do it. So the Doctors for Choice actually say whoever wants to become a gynecologist, should be ready and willing to do it! But some people find it radical.

What we fight for is to decriminalize abortion and perceive it as a medical procedure like all the other medical procedures, which is inevitably connected to

women's health, to reproductive health, and it's so common! There will never be a time with no abortions, they are always there! We do our own trainings - there is a really good online training accessible for everyone, you just need to register on the website. They show you how to perform a medical and surgical abortion.

Doctors for Choice also started a papaya workshop, you heard about it, right? They show how the vacuum abortion looks like because no one learns how to do it, even in medical school. They bring it to the medical faculties and do their own workshops, it's not always easy. Some people criticize that.

What we do is also contesting the taboo about abortion - we go out and we talk about it in the media, we put all the facts on the table, we go to the newspaper and we also started the first telemedical pharmaceutical abortion project in Germany in the pandemic, after the British model. And it really worked out. It was really revolutionary! It was always clear that people could do pharmaceutical abortions at home but somehow no doctor really gave them the opportunity. In the pandemic, the pills were sent from Berlin all over Germany with the video call. Doctors for Choice really made it nicely, even with nice packaging. There was a lot of effort and love put into this project. There is also an app for the phone with a guide through abortion. I like the fact that they are so innovative, they have such transformative power!

**Is this still running or was it just during the pandemic?**

It's still working. It's called Abortion at Home<sup>3</sup>.

<sup>3</sup> <https://schwangerschaftsabbruch-zuhause.de/>



**And how much do the pills cost from them?**

I think it must be roughly 300 EUR.

**300 EUR?!**

For the whole abortion, that's how I paid for mine. And the surgical one is 500 EUR. But if you earn less than 1200 EUR per month, you go to your health insurance and ask them to cover it. But if you are a regular worker, you are usually above that but still, it's 300 EUR!

**But ordering pills from Women on Web or Women help Women costs around 75 euro.**

But then it's illegal, right?

**It's legal, it's completely legal.**

Not in German law, because you have to do psychological consultation and so on... The doctor where I had my abortion, had a catalog of all the medical procedures and it's many involved.

And also... you don't get those pills so easily because of permits, you have to get them through an international pharmacy... The doctors don't really like to do it. We only have 30% of pharmaceutical abortions. That's so little!



**That's what Mela was saying... We made an interview with Mela, who is a Polish gynecologist working in Goerlitz and she is also a pro-choice activist. She was surprised that German doctors are not so happy about providing pharmacological abortion. And she tried to figure out why and then she learned one of the reasons is that a lot of people don't use pills properly, and doctors don't have much knowledge about it. If the time interval is wrong or the dose is wrong, it will influence the experience.**

Totally!...

**And a lot of people are coming back to her hospital after the pharmaceutical abortion to finish the termination by surgical methods.**

And then it's a vicious circle! Then everyone thinks: oh, pills are not so good, not so safe. And that's actually really bad. In international surveys between 50-70% women, if they could choose, they would choose pharmaceutical, not surgical abortion. Only Germany has a rate of 30%. Because nobody offers it and it's really bad. Plus expensive.

**The thing is that medical services in Germany are usually very expensive. If you have this ultrasound, psychological consultations, medical care is very expensive when you don't have health insurance. And since the process is so long and involves so many steps, it gets to be more than just the pills.**

And that's what the government wrote in a coalition agreement. They wrote that we are kicking this one paragraph, we are checking if we can decriminalize abortion somehow... and we are ensuring abortion care is



available everywhere and we want to have it covered by health insurance. But I wonder how they want to do it, if it's still criminalized and it's so hard to decriminalize. I am really curious how they will do it. If they will do it. It means nothing if they just write it...

**It's still a good step.**

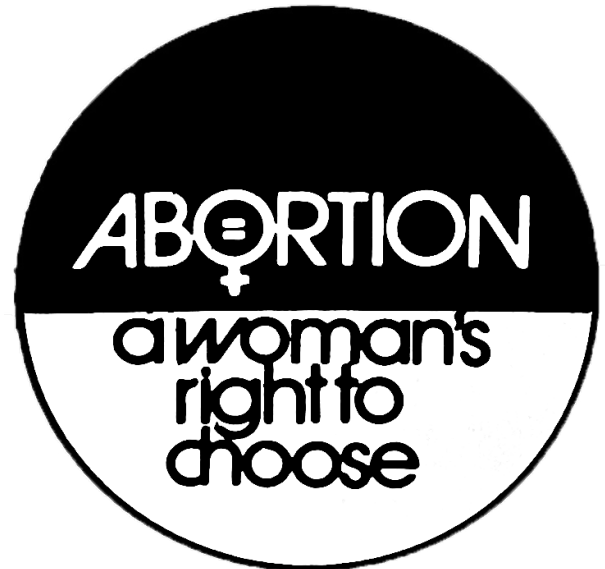
**So if someone is in a difficult financial situation, people can apply for your health insurance - but even in case of abortion "on demand"?**

Yes, yes. Oh, yes that's important! The criminal and medical indications are always covered. Because they are not illegal.

**So one would pay only for abortion on request. And you can have it covered by insurance when you earn less than the minimum of 1200 EUR.**

Exactly!

**Thank you very much for answering all of our questions!**

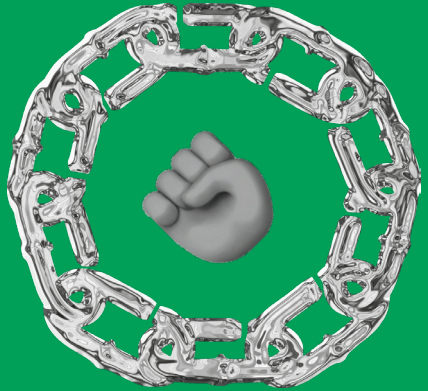
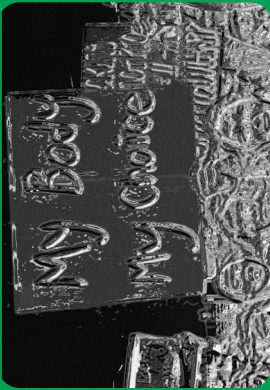


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