Statement of Support for Right to Reproductive Healthcare

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors and law students, representing the interests of over 60,000 attorneys and about 90 national, state, and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, law students, law professors, and lawyers serving at all levels of the government and military; and NAPABA is committed to addressing civil rights issues confronting Asian American and Pacific Islander (AAPI) communities and people of color,

WHEREAS, NAPABA is the national voice for the AAPI legal profession; promotes justice, equity, and opportunity for AAPI individuals and communities; and fosters professional development, legal scholarship, advocacy, and community involvement,

WHEREAS, NAPABA values equality, community, advocacy, relationships, diversity, equity, inclusion, open-mindedness, and the health and wellbeing of our members and the AAPI community as a whole,

WHEREAS, women have a constitutional right to be treated equally under the law,

WHEREAS, the Supreme Court of the United States has recognized a constitutional right to an abortion,

WHEREAS, in 1992, the American Bar Association (ABA) adopted a position supporting the “right of a woman to choose to terminate a pregnancy (i) before fetal viability; or (ii) thereafter, if such termination is necessary to protect the life or health of the woman” (Resolution 92A12),

WHEREAS, in 1992, the NAPABA Board of Governors voted to support Resolution 92A12,

WHEREAS, in 2019, the ABA urged governments to refrain from adopting requirements that are not medically necessary or that have the purpose or effect of restricting availability or burdening access to healthcare services,

WHEREAS, in 2021, the ABA adopted a resolution opposing the criminal prosecution of any person for having an abortion, or for experiencing a miscarriage, stillbirth, or other pregnancy outcome and urging

1 Transgender and non-binary child-bearing individuals may also rely on abortion services, and such individuals also may be harmed or prejudiced to the same extent as AAPI women. Therefore, while the term women is used here, it is meant to encompass all individuals who use reproductive services.


federal, state, local, tribal and territorial governments to repeal and oppose statutes that would allow such criminal prosecution,\(^4\)

**WHEREAS,** AAPI women have been prosecuted for their pregnancy outcomes, including due to stereotypes about Asians,\(^5\)

**THEREFORE BE IT RESOLVED,** that NAPABA:

1. Recognizes the right of women to access reproductive healthcare;

2. Recognizes the constitutional right of women to terminate their pregnancy (i) before fetal viability; or (ii) thereafter, if such termination is necessary to protect the life or health of the woman;

3. Urges federal, state, local, and tribal governments to support the constitutional right of women to access reproductive healthcare, and to refrain from adopting requirements that are not medically necessary and burden the ability of patients to access healthcare services;

4. Opposes the criminal prosecution of any person for having an abortion, or for experiencing a miscarriage, stillbirth, or other pregnancy outcome, and urges governments to repeal or clarify laws so they may not be used to prosecute women for their pregnancy outcomes;

5. Authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, members of Congress, the Administration, the press, and others to take steps to implement this resolution, as they deem necessary; and,

6. Supports this resolution as a policy priority until it is withdrawn or modified by subsequent resolution.

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