Resolution on the first anniversary of the de facto abortion ban in Poland

2021/2925(RSP) - 11/11/2021 - Text adopted by Parliament, single reading

The European Parliament adopted by 373 votes to 124, with 55 abstentions, a resolution on the first anniversary of the de facto abortion ban in Poland.

Parliament reiterated its strong condemnation of the illegitimate Constitutional Tribunal's ruling of 22 October 2020 that imposes a near-total ban on abortion and of this blatant attack on sexual and reproductive health and rights (SRHR) in Poland. It called on the Polish Government to swiftly and fully guarantee access to and the provision of abortion services, to provide safe, legal, free and high-quality abortion services, and to make them accessible to all women and girls.

Attack on the rule of law and fundamental freedoms

Moreover, it strongly condemned all legislative proposals or restrictions that aim to further prohibit, criminalise and limit access to safe and legal abortion in Poland. The *de facto* abortion ban is putting women's health and lives at risk and has already led to the death of at least one woman. Furthermore, Members stressed that this is a **clear attack on the rule of law and fundamental rights** and restricts the realisation of SRHR in Poland.

Member States are called on to cooperate more effectively in order to **facilitate cross-border access to abortion**, for example by granting Polish women access to free and safe abortion within national healthcare systems. The law limiting access to the emergency contraceptive pill should be repealed according to Parliament.

Parliament condemned the Polish Government's abuse of the judicial system and of its legislative powers to instrumentalise and politicise the lives and health of women and LGBTI+ persons, leading both to their oppression and to discrimination against them.

The Commission is called on to:

- carry out a thorough assessment of the composition of the illegitimate Constitutional Tribunal underlining that the ruling on abortion is yet another example of the political takeover of the judiciary and the systemic collapse of the rule of law in Poland;

- support Member States in guaranteeing universal access to SRHR, including access to safe and legal abortion for all citizens;

- take concrete steps to protect SRHR in the EU more generally, starting with the establishment of an EU Special Envoy on SRHR;

- adopt guidelines for Member States to ensure equal access to SRHR goods and services in line with EU law;

- propose a comprehensive directive on preventing and combating gender-based violence in all its forms, including violations of SRHR.

Support for activists

Parliament stands in solidarity with Polish women and activists who continue to help women to access abortion care when they need it, as it is their body, their choice. It strongly condemned the excessive and disproportionate use of force and violence against protesters, including activists and women's rights organisations, by the law enforcement authorities and by non-state actors such as far-right nationalist groups.

Education

Expressing deep concerns over the attempts to criminalise the dissemination of sexuality and relationship education in Poland, the Commission and the Member States, including Poland, are asked to make sure that students of all ages and sexual orientations receive age-appropriate and evidence-based comprehensive sexuality and relationship education, which is key to building young peoples' skills to form healthy, equal, nurturing and safe relationships, free from discrimination, coercion and violence.