Resolution on the US Supreme Court decision to overturn abortion rights in the United States and the need to safeguard abortions rights and Women's health including in the EU

2022/2742(RSP) - 07/07/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 324 votes to 155, with 38 abstentions, a resolution on the US Supreme Court decision to overturn abortion rights in the United States and the need to safeguard abortion rights and women's heath in the EU.

The text adopted in plenary was tabled by the S&D, Renew, Greens/EFA, the Left groups and Members.

The United States Supreme Court established a precedent in the landmark case of Roe v Wade (1973), later affirmed in Planned Parenthood v Casey (1992) and Whole Woman's Health v Hellerstedt (2016), guaranteeing the constitutional right to legal pre-viability abortion in the US.

The Supreme Court decided on 24 June 2022 to overturn, by five votes in favour and four against, the Roe v Wade ruling, **putting an end to the federal constitutional right to abortion**, allowing states to ban abortion at any point during pregnancy and opening up the possibility of complete bans on abortion.

Following the adoption of this decision by the Court, eight states have already banned abortion, whereas it is expected that 26 states may end up passing laws that almost completely outlaw abortion. 13 states have what are known as 'trigger' laws, which immediately came into effect after Roe v Wade was overturned. Since then, there has been a growing number of demonstrations both within the US and worldwide to defend the right to abortion.

Parliament strongly condemned once again the backsliding in women's rights and SRHR taking place globally, including in the US and in some EU Member States. It called on the governments of those states which have passed laws and other measures concerning bans and restrictions on abortion to repeal them and to ensure that their legislation is in line with internationally protected women's human rights and international human rights standards. Members also expressed their firm solidarity with and support for women and girls in the US, as well as to those involved in both the provision of and advocacy for the right and access to legal and safe abortion care in such challenging circumstances. It supports, likewise, the calls for the US Congress to **pass a bill that would protect abortion at federal level**.

It proposed to **include the right to abortion in the Charter of Fundamental Rights of the European Union**.

Members called on the Commission and the Member States to step up their political support for human rights defenders and healthcare providers working to advance SRHR, as well as for women's rights and SRHR civil society and grassroots organisations. The Commission is urged to protect and support these defenders against any persecution they might face. Parliament expressed concern about a possible surge in the **flow of money funding anti-gender and anti-choice groups** in the world, including in Europe.

The EU and its Member States are called on to **legally recognise abortion** and to defend respect for the right to safe and legal abortion and other SRHR.

Member States should:

- **decriminalise abortion** and remove and combat obstacles to safe and legal abortion and access to SRHR;

- guarantee access to safe, legal and free abortion services, to pre-natal and maternal healthcare services and supplies, voluntary family planning, contraception, youth-friendly services, and to HIV prevention, treatment, care and support, without discrimination.

In addition, there is a growing concern about **data protection** in the context of Roe v Wade having been overturned. Through menstrual tracking apps or geolocation tools and search engines, data can be collected on people having approached an abortion clinic, purchased an abortion pill or searched for information. People can potentially be flagged for this or the information collected used against them. In this regard, the US Government is called on to ensure data protection for everyone, especially for those seeking, providing and facilitating abortions, by allowing private and secured access, stopping behavioural tracking, strengthening data deletion policies, encrypting data in transit, enabling end-to-end message encryption by default, preventing location tracking and ensuring that users are notified when their data is being sought.