



Plenary sitting

B9-0366/2022

5.7.2022

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the US Supreme Court decision to overturn abortion rights in the United States and the need to safeguard abortion rights and women's health in the EU (2022/2742(RSP))

Christine Anderson, Jaak Madison, Gerolf Annemans
on behalf of the ID Group

**European Parliament 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 health in the EU
(2022/2742(RSP))**

The European Parliament,

- having regard to the ruling of the Supreme Court of the United States of America in the case of *Dobbs, State Health Officer of the Mississippi Department of Health et al, v. Jackson Women's Health Organization et. al.*, decided on 24 June 2022¹,
 - having regard of Article 6 of the International Covenant on Civil and Political Rights (ICCPR),
 - having regard to the United Nations Convention on the Rights of the Child,
 - having regard to Articles 2, 3, 7 and 33 of the EU Charter of Fundamental Rights,
 - having regard to Article 5(3) of the Treaty on European Union (TEU) and Protocol No 2 on the application of the principles of subsidiarity and proportionality,
 - having regard to Article 168 (7) of the Treaty on the Functioning of the European Union (TFEU),
 - having regard to the ruling of the Court of Justice of the European Union in Case C-34/10 *Brüstle v Greenpeace*,
 - having regard to the statement by the Commission on the US Supreme Court decision to overturn abortion rights in the United States and the need to safeguard abortion rights and Women's health in the EU,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas respect for private and family life is enshrined in all internationally binding legal instruments signed, ratified and implemented by the Member States;
- B. whereas the reality of unintended and unwanted pregnancies is still a problem for many women and men, including teenage girls and boys and their families;
- C. whereas no legally binding international treaties or conventions define the term 'sexual and reproductive health and rights';
- D. whereas the UN Convention on the Rights of the Child notes that 'the child, by reason of his physical and mental immaturity, needs special safeguards and care, including

¹ https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf

appropriate legal protection, before as well as after birth’;

- E. whereas Article 6 of the ICCPR, signed, ratified and implemented by all EU Member States, states that ‘every human being has the inherent right to life’;
1. Reaffirms the sovereign right of each Member State to define its abortion policy in conformity with its own national laws, with full respect for the various religious and ethical values and cultural backgrounds of its people, and in conformity with universally recognised human rights;
 2. Upholds the respect for private and family life as enshrined in all internationally binding legal instruments signed, ratified and implemented by the Member States;
 3. Deeply deplores the reality of unintended and unwanted pregnancies that are still a problem for many women, including teenage girls, and boys and their families;
 4. Condemns any violation of women’s bodily integrity and harmful practices intended to control women’s self-determination, and condemns the illegal practice of female genital mutilation and all form of sexual control over women;
 5. Notes that the 24 June 2022 ruling concerns only the USA, and that it simply declares that the federal constitution of the USA does not confer a right to abortion and that the authority to regulate abortion is returned to the people and their elected representatives;
 6. Notes that neither the EU nor each of its 27 sovereign Member States is subject to the jurisdiction of the US Supreme Court, and therefore the Dobbs decision has no practical effect for the citizens of the 27 Member States, apart from the substantive legal reasoning of the US Supreme Court;
 7. Recalls Article 168 (7) of the TFEU, which states that Union action ‘shall respect the responsibilities of the Member States for the definition of their health policy and for the organisation and delivery of health services and medical care’;
 8. Upholds the universal human right to conscientious objection together with the responsibility of the state to ensure that patients are able to access lawful medical care in a timely manner, in particular emergency prenatal and maternal healthcare;
 9. Invites the Member States to invest in a variety of family-oriented policies and programmes;
 10. Recognises the rights, duties and responsibilities of the father, the mother and other persons legally responsible for adolescent boys and girls to provide, in a manner consistent with their evolving capacities, appropriate direction and guidance on emotional, sexual and reproductive matters;
 11. Stresses that the United States of America is a sovereign country with a well-established and respected legal system; considers, therefore, any interference by the European Union to be completely inappropriate;
 12. Calls on all EU institutions, agencies and bodies as well as EU-funded organised civil

society associations, not to use the Dobbs decision as an opportunity to interfere in the internal affairs of the US or to delegitimise the jurisprudence of the US Supreme Court; points out that appeals within the EU not to delegitimise EU institutions can serve as a model for restraint;

13. Invites the Commission to support Member States in the significant challenges they currently face, such as the cost of living crisis, security of fuel supply, inflation, the Russian aggression against Ukraine, the demographic crisis and mass immigration, rather than to be distracted by judicial decisions in third countries;
14. Instructs its President to forward this resolution to the Commission, the European Council and the President of the United States of America.