



Plenary sitting

B9-0208/2024

3.4.2024

MOTION FOR A RESOLUTION

to wind up the debate on the statements by the Council and the Commission

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

on the inclusion of the right to abortion in the EU Charter of Fundamental Rights

(2024/2655(RSP))

Jeroen Lenaers

on behalf of the PPE Group

B9-0208/2024

European Parliament resolution on the inclusion of the right to abortion in the EU Charter of Fundamental Rights (2024/2655(RSP))

The European Parliament,

- having regard to Articles 2 and 5 of the Treaty on European Union (TEU),
 - having regard to Articles 1, 2, 3, 4, 6, 7, 10, 21, 35 and 51 of the Charter of Fundamental Rights of the European Union (the Charter),
 - having regard to Articles 2, 3, 4, 5, 6 and 168 of the Treaty on the Functioning of the European Union (TFEU),
 - having regard to the Universal Declaration of Human Rights,
 - having regard to the 2030 Agenda for Sustainable Development, which was adopted on 25 September 2015 and entered into force on 1 January 2016, and in particular to Sustainable Development Goals 3, 5 and 16, and the related indicators,
 - having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),
 - having regard to the United Nations Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, and to its General Recommendations No 21 (1994), No 24 (1999), No 28 (2010), No 33 (2015) and No 35 (2017),
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the right to life, liberty and privacy are essential, fundamental human rights, as laid down in the Charter and in the Universal Declaration of Human Rights;
- B. whereas the principle of subsidiarity is laid down in Article 5(3) TEU and in Articles 2, 3, 4, 5 and 6 TFEU;
- C. whereas the European Union does not have direct competence to act in advancing the right to abortion within the Union but cooperation between Member States takes place through the open method of coordination; whereas abortion laws and the regulation of sexual and reproductive health are based on national legislation;
- D. whereas comprehensive, evidence-based, non-discriminatory and age-appropriate sexuality education facilitates responsible sexual behaviour and empowers children and young people, as it provides scientifically accurate and age-appropriate information on sexuality, addressing sexual and reproductive health issues; whereas access to information about sexual and reproductive health is essential; whereas providing some form of sexuality and health education is already mandatory in a majority of Member States; whereas education is a responsibility of families, and a competence of the

Member States;

- E. whereas all efforts should be made in the first instance to reduce the number of abortions; whereas unsafe abortions pose a risk to women's health and lives; whereas empowering, encouraging and supporting women is an inherent European value that should be promoted and championed;
- F. whereas preparing the future of Europe implies supporting families and parenthood;
 - 1. Stresses that all persons are entitled to inherent dignity and equal and inalienable rights, based on freedom, justice and peace; emphasises that women have the right to bodily integrity and the freedom to take responsibility for their bodies and their choices;
 - 2. Emphasises that responsibility for regulating the provision of abortion care lies with the Member States, in accordance with the principle of subsidiarity, with the EU having the competence to support, coordinate or supplement these actions;
 - 3. Emphasises that the Charter enshrines values that are common to the Member States and shared universally by EU citizens, while the right to abortion remains a contested issue with a variety of views held across EU societies and diverging policy solutions and legal frameworks chosen by the Member States; recalls that any amendment of the Charter would require unanimous approval by the Member States;
 - 4. Recalls that the Charter itself does not extend the scope of the EU to matters that are not part of its normal remit and that it must be applied with due regard to the principle of subsidiarity and is applicable to the Member States only when they are implementing EU law; notes, however, that, if access to abortion were to become an EU competence, implementation of abortion-related legislation could result in access to abortion increasing in some Member States while becoming more restricted in others;
 - 5. Stresses the need for a positive and proactive approach to healthcare throughout all stages of human life; calls on the Member States to ensure that every person has equal access to and availability of high-quality and comprehensive healthcare; stresses the need to ensure non-discriminatory access to respectful maternity, pregnancy and birth-related care for all, including midwifery, antenatal, childbirth and postnatal care, and maternal mental health support; calls on the Member States to provide pregnant women with economic and social support;
 - 6. Stresses that Member States should implement all relevant rulings of the Court of Justice of the European Union and the European Court of Human Rights and, where necessary, update their legal and administrative frameworks in line with EU law and with the European Convention on Human Rights;
 - 7. Instructs its President to forward this resolution to the Council and the Commission.