

WRITTEN QUESTION P-1933/03  
by Dana Scallon (PPE-DE)  
to the Commission

Subject: Social development

The Commission proposal for a regulation of the European Parliament and of the Council on aid for policies and actions on reproductive and sexual health and rights in developing countries (COM(2002) 120 final<sup>1</sup> and COM (2003) 168 final) provides for the funding of healthcare in developing countries. During the legislative procedure, it became clear that the Commission intends to use the appropriations allocated to this programme to fund - inter alia - abortion on demand.

The Community's powers with regard to development policy, set out in Article 177(1) of the Treaty, uses the term 'social development', which is open to interpretation. Articles 136 to 145 of the Treaty expand the meaning of the term 'development' in social policy with regard to domestic policies. It is undisputed that the Community has no power to rule on or to finance abortion within the Community. It would, therefore, be inconsistent if the same legal term were to be interpreted differently. It therefore seems appropriate, with regard to the first sentence of Article 5 of the Treaty, to interpret Article 177(1) of the Treaty accordingly and not to authorise Community activities which are legally not possible within the Community.

Does the Commission take the view that the term 'social development' referred to in Article 177(1) of the Treaty provides a legal basis for activities facilitating abortion on demand?

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<sup>1</sup> OJ C 151 E, 25.6.2002, p. 260.