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## Poland: no more women should die because of the restrictive law on abortion

- MEPs reiterate their condemnation of the illegitimate Polish Constitutional Tribunal's ruling imposing a near-total ban on abortion
- Over the last 10 months, only 300 Polish women accessed abortion services in hospitals on the grounds of a threat to life and health
- Polish women should be supported in accessing abortion services in other member states
- Ruling on abortion yet another example of the political takeover of the judiciary and the systemic collapse of the rule of law in Poland



Protesters taking part in a demonstration to mark the 1st anniversary of the Constitutional Tribunal's ruling on abortion. ©W.

RADWANSKI/AFP

**A year after the Polish Constitutional Tribunal's ruling, MEPs are calling on the government to lift the ban on abortion that puts women's lives at risk.**

Last September, a 30-year-old Polish woman died of septic shock because her doctors did not perform a life-saving abortion, waiting instead for the foetus to die because of the restrictions on legal abortions in Poland. In a resolution adopted on Thursday by 373 votes in favour, 124 against and 55 abstentions, MEPs call on the Polish government to ensure that no more women in Poland die because of this restrictive law.

**Access to safe, legal and free abortion services must be guaranteed**

They reiterate their strong condemnation of the illegitimate Constitutional Tribunal's ruling of 22 October 2020 imposing a near-total ban on abortion and putting women's health and lives at risk. They urge the Polish government to swiftly and fully guarantee access to safe, legal and free abortion services for all women.

MEPs regret that, due to this restrictive legislation, women have to seek unsafe abortions, travel abroad to obtain abortions or carry their pregnancy to term against their will, including in cases of fatal foetal impairment. Parliament thus calls on member states to cooperate more effectively to facilitate cross-border access to abortion, for example by granting Polish women access to a

free and safe abortion in other national healthcare systems.

### **Situation in Poland continues to deteriorate**

Furthermore, MEPs condemn the increasingly hostile and violent environment for women human rights defenders in Poland and call on the Polish authorities to guarantee their right to express themselves publicly without fear of repercussions or threats. They also strongly condemn the disproportionate use of violence against protesters by law enforcement and urge the Polish authorities to ensure that those who attack protesters are held accountable for their actions.

Highlighting 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, MEPs ask the Council to include this issue in its investigation into the rule of law situation in Poland by expanding the scope of its hearings.

**Background** On 22 October 2020, the Polish Constitutional Tribunal ruled that the provision of the 1993 Act on Conditions of Termination of Pregnancy was unconstitutional. This act allowed abortions to take place in cases where a prenatal test or other medical considerations had indicated a high probability of a severe and irreversible foetal defect or an incurable illness that threatened the foetus' life. This entailed a de facto abortion ban, as the vast majority of legal abortions in Poland were based on these grounds.

Over the last 10 months, only 300 Polish women accessed abortion services in hospitals on the grounds of a threat to life and health. Over the past year, Abortion Without Borders have helped 34 000 women from Poland access an abortion, which represents only a fraction of the total number of Polish women needing support to access this service.

### **Further information**

[Adopted text \(11.11.2021\)](#)

[Video recording of the plenary debate \(20.10.2021\)](#)

[Procedure file](#)

[Press statement - "The abortion ban in Poland is an attack on women's fundamental rights" \(28.01.2021\)](#)

[Press release - Polish de facto ban on abortion puts women's lives at risk, says Parliament \(26.11.2020\)](#)

[Free photos, video and audio material - Rule of law in Poland](#)

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