

Access to safe and legal abortion

The Congress of the Alliance of Liberals and Democrats for Europe (ALDE) Party convening in Dublin, Ireland, on 2-4 June 2022:

Notes that:

- the individual right to self-determination is a right that must be protected and respected at all times;
- women's rights are increasingly under pressure in the European Union. In various Member States access to fundamental reproductive healthcare has been limited, decreased and even *de facto* banned;
- the right to abortion is still restricted in more than two-thirds of all countries;
- women's rights are human rights;
- in two European Member States women have *de facto* no legal and safe access to abortion;
- in Poland, several women have already died because they were denied the right to a legal and safe abortion and are severely restricted or even prevented access to reproductive health services, including family planning and safe abortions;
- Europe has always been at the forefront of the fight to liberalise abortion laws and the legalisation of women's access to safe and legal abortion;
- the WHO specifies that laws should not impose medically unnecessary delays to a requested abortion, such as mandatory waiting periods;
- in some European countries, short time limits for access to abortion on request can have harmful impacts on women and may impede them from obtaining the health care they need. When applied in a restrictive manner short time limits can be particularly harmful for adolescent girls and women belonging to marginalised communities who may not always be able to obtain care within the legal timeframe. This may result in women needing to travel to other jurisdictions to access legal abortion or accessing abortion care at home outside of the scope of the law and under threat of criminal prosecution;
- although the European Union has direct competence to act in advancing sexual and reproductive health and rights in external action, it still does not have the same direct competence to act in advancing and harmonising such rights within the Union;
- the lack of harmonisation of minimum levels of access between European countries in sexual and reproductive health and rights legislation and specifically abortion legislation leads to women having to seek unsafe clandestine abortions, seeking abortion care cross-borders out of necessity, or carrying their pregnancy against their will

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which all seriously impedes women and girls' bodily integrity, right to life, livelihood, safety, well-being and full enjoyment of their fundamental rights;

- taboos and the lack of availability of measures of planned parenthood inter alia contraception leads to the rise of unplanned pregnancies, abortion and infections;
- sex education and access to family planning is integral to reducing maternal mortality rates and the number of unsafe abortions;

Stresses that:

- the right to safe and legal abortion is a fundamental right that all European citizens should have equal access to;
- every year 15,000 women suffer from severe consequences like physical disabilities and infertility as a consequence of illegal abortions;
- criminalising abortions in circumstances where the pregnancy is likely to result in death is an unacceptable violation of reproductive health;
- if we do not put a stop to the diminishing access to sexual and reproductive health and rights and specifically the right to safe and legal abortion, the European Union is infringing upon the fundamental rights of half its citizens;
- a strong, united and progressive response is necessary against the global conservative anti-abortion and anti-gender movements;
- there has been a backsliding on sexual rights, and we, as liberals, must not allow or stand for these rights being taken away or limited, but instead widen them on grounds of freedom and individual autonomy.

Recognises that:

- although the European Union does not have direct competence in EU health policy of individual EU members, various health related legislation has been passed on the basis of article 114 TFEU and article 168;
- despite lack of harmonisation, Member States have cooperated on public health policies and access to health care during the COVID-19 pandemic, which allows for further coordination on specifically access to abortion care.

Calls on ALDE and all member parties to:

- advocate for more progressive and liberal sexual and reproductive health and rights, including safe and legal access to abortion, in their respective member countries and within the European Union;

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- work for providing abortion upon request up to and including the 22 week of pregnancy. Abortions should be performed as soon as possible upon request. However, in circumstances where the pregnancy was caused by rape or other condemnable criminal offenses, a woman's life is threatened or a foetus is unlikely to survive, an abortion may be performed after the 22nd week;
- reject compulsory counselling for requested abortions, as they compel a woman to wait before she gets to make a decision she has already taken. They should be available but not compulsory;
- request institutions to ensure that all abortion counselling is impartial and factual, regardless of the counsel's personal morals and/or beliefs;
- advocate for the decriminalisation of abortion in their respective member countries and within the European Union.

Calls on the European Commission to:

- propose European abortion legislation, which guarantees safe and legal access to abortion across the European Union.

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