Question for written answer E-006085/2020

to the Commission

Rule 138

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Subject: Crackdown on reproductive rights in Poland amid the ongoing crisis of the rule of law

On 22 October 2020 the Constitutional Tribunal in Poland, consisting of unlawfully appointed judges, ruled that abortion in cases of foetal defects is unconstitutional. This politically motivated decision is yet another attack on the rule of law in Poland. The ruling amounts to a near total ban on abortion, as 97.6 % of legal terminations carried out in Poland in 2019 were due to foetal defects.

Therefore:

1. What actions will the Commission take with regard to Poland’s lack of implementation of the European Court of Human Rights judgments on abortion (violations of Articles 3 and 8 of the European Convention on Human Rights, and of R.R. v. Poland (2011)) that constitutes a violation of the rule of law?

2. Taking into account the opinion of the UN Committee against Torture, which states that denying access to safe and legal abortion is a form of torture[[1]](#footnote-0), what measures will the Commission take to prevent further breaches of reproductive rights in Poland?

3. How does the Commission intend to react to Poland’s actions, which have a profound impact on women and their health, taking into account the commitments expressed in the EU Gender Equality Strategy 2020-2025 to achieve a gender-equal Europe?

1. Concluding observations on the seventh periodic report of Poland, 2019. [↑](#footnote-ref-0)