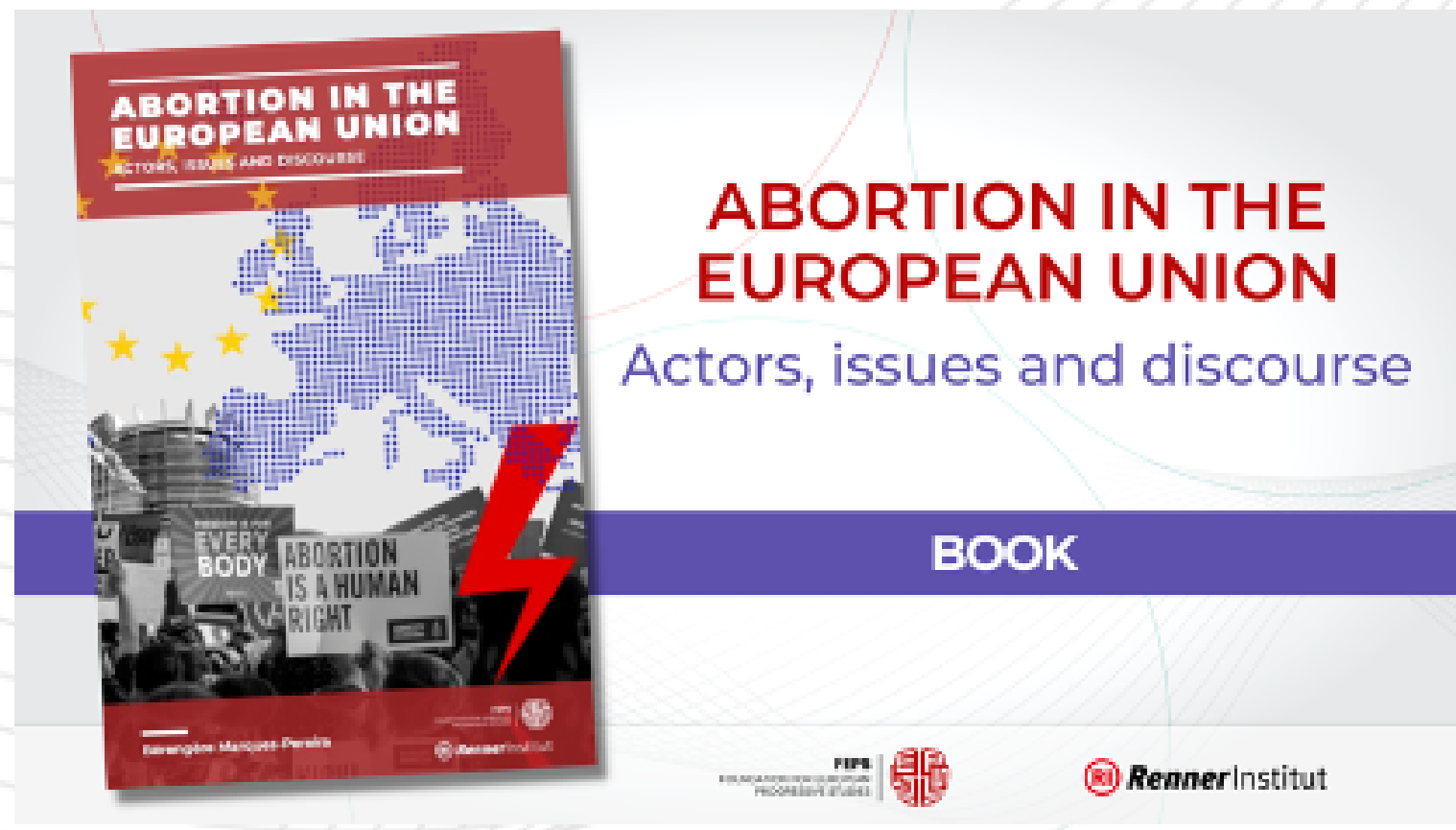


Book Presentation

ABORTION IN THE EU: ACTORS, ISSUES AND DISCOURSES



Presentation by **Laetitia Thissen**
FEPS Senior Policy Analyst for Gender Equality



OUTLINE

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- 03 KEY MESSAGES**
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introducing FEPS

MAGAZINE



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EUROPE AND THE WAR IN UKRAINE
FROM RUSSIAN AGGRESSION TO A NEW EASTERN POLICY

BOOK

Europe and the war in Ukraine



#Care4Care

About

The Foundation for European Progressive Studies (FEPS) is the think tank of the progressive political family at EU level. Our mission is to develop innovative research, policy advice, training and debates to inspire and inform socialist and social democratic politics and policies across Europe.

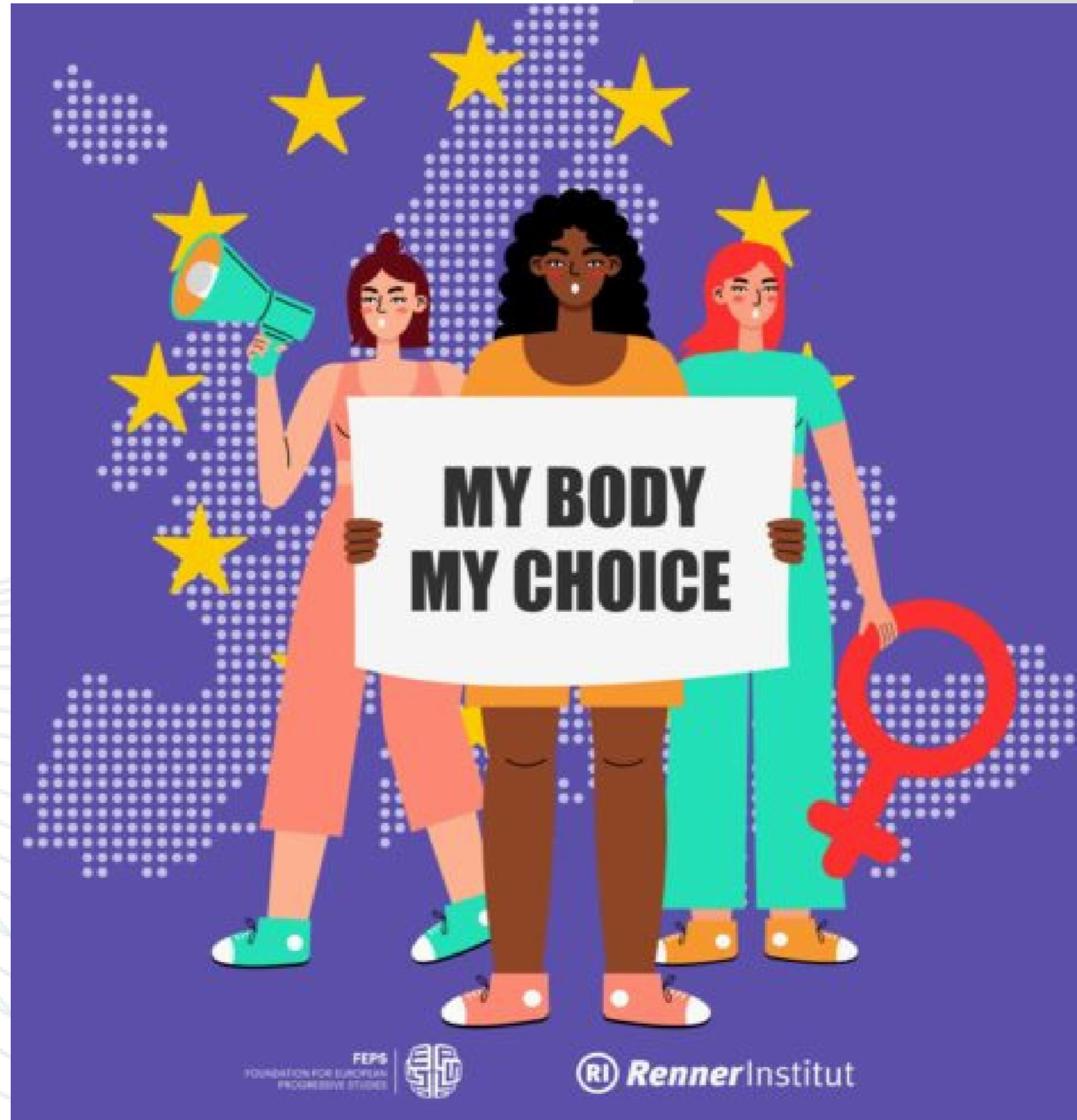
FEPS works in close partnership with a solid network of 74 member organisations, boosting coherence among stakeholders from the world of politics, academia and civil society at local, regional, national, European and global levels. [More](#)



Our topics

 <p>economy</p>	 <p>Digital</p>	 <p>Environment</p>	 <p>World</p>	 <p>Gender Equality</p>
 <p>Social</p>	 <p>Migration</p>	 <p>European Union</p>	 <p>Democracy</p>	 <p>Next Left</p>

Publications



gender
equality

300

days away

29 out of 1,000

women aged 15-44
in Europe

10<24

weeks

5

abortion
regimes

5

AUTHORISATION REGIMES



1

Easy access

Few restrictive conditions.
e.g. Denmark, Finland, Sweden, NL

2

Partial or total

decriminalisation

certain criteria but standards of
access remain high
e.g. BE, FR, LU

3

Restricted access

de facto obstructed
e.g. Austria, Germany, Cyprus,
Spain, Italy, Greece, Portugal

4

Permitted but hampered

restrictive procedures
e.g. BG, CR, ES, HU, LT, LT, RO, SK, SL

5

Prohibited access

imposing very restrictive conditions
e.g. Poland, Malta

ABORTION IN THE NETHERLANDS



**MY BODY
MY CHOICE**

An authorisation regime that provides easy access to abortion on request with few restrictive conditions (e.g time limits).

- The law is very freely interpreted.
- **Almost no illegal abortions.**
- Most abortions are performed in licensed clinics.
- The woman's state of distress must be established.



CRIMINAL SANCTIONS

Yes, but not for the woman.



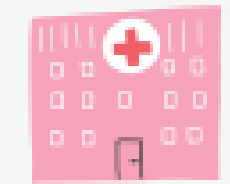
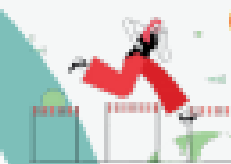
COST TO THE WOMAN

Reimbursed for residents
paid for by non-residents.



CONSCIENCE CLAUSE

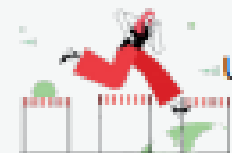
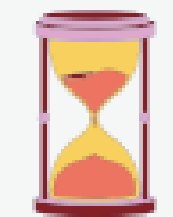
Yes,
with an obligation to inform the woman.



WAITING PERIOD

Five days

unless there is a serious risk to the woman.



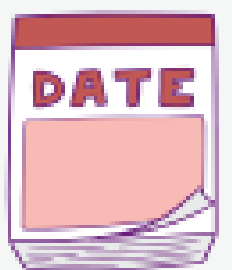
LEGISLATION

Law of **1981**. Decree of **1984**. The criminal code defines killing a viable foetus as infanticide.



CONDITIONS

In hospitals and licensed clinics, and by a doctor only. Must ensure the woman's free choice.



TIME LIMIT

No time limit.

In practice, 20 to 22 weeks on social grounds. the legal viability of the foetus is 24 weeks.



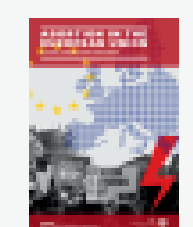
PARENTAL CONSENT

Not applicable.



MEDICAL ABORTION

Available since January 2000.



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ABORTION IN AUSTRIA

MY BODY
MY CHOICE

An authorisation regime that permits abortion, but where access is hampered (sometimes severely) by restrictive procedures.



- Difficult to obtain outside the main urban centres.
- Misuse of the conscience clause.
- 3 provinces don't offer abortion in public hospitals.

CRIMINAL SANCTIONS

Applicable.



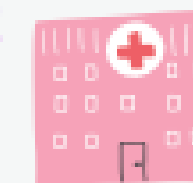
COST TO THE WOMAN

Free of charge on medical grounds. Otherwise, very expensive.



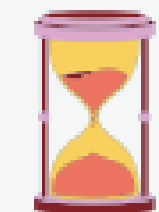
CONSCIENCE CLAUSE

Applicable, but its use is prohibited if there is imminent danger of death to the woman.



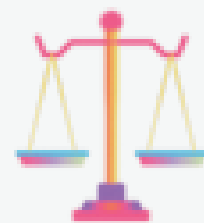
WAITING PERIOD

Not applicable.



LEGISLATION

Federal law of 1974. Abortion falls under the criminal code.



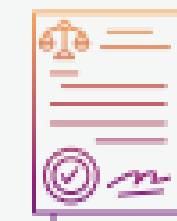
CONDITIONS

< 3 months: interview.
> 3 months: medical opinion. Abortion must be performed in a public hospital by a doctor.



PARENTAL CONSENT

needed until 13 years old.



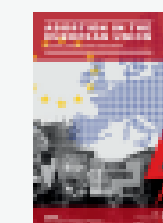
MEDICAL ABORTION

Available since December 1999.



TIME LIMIT

3 months on request. In practice, up to 16 weeks. Can be extended on medical grounds and for patients aged < 14.



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ABORTION IN POLAND



MY BODY
MY CHOICE

A regime that prohibits abortion by imposing very restrictive conditions on its access and making it extremely difficult in practice.



- **Extremely restrictive** application of the law.
- Very frequent use of the **conscience clause**.
- The **morning-after pill has not been authorised since June 2017**, except on medical prescription.
- A bill was tabled to **ban all abortions**.

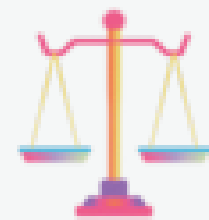
CRIMINAL SANCTIONS

Applicable.



COST TO THE WOMAN

Free if legal (very rare cases).



LEGISLATION

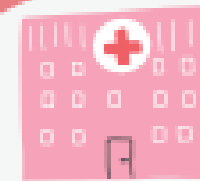
Since **1993**, abortion has been prohibited.

Since **1997**, it is prohibited except in cases of rape or incest certified by a prosecutor, malformation of the foetus, or a health risk for the woman. Abortion falls under of the **criminal code**.

The Constitutional Court's ruling of 22 October **2020** prohibits abortion for foetal malformation.

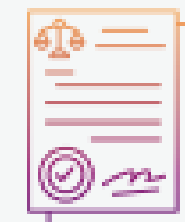
CONSCIENCE CLAUSE

Applicable. Its use is prohibited if the woman's life is in danger. Obligation to refer the woman to another professional.



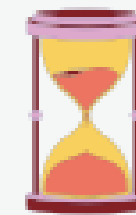
PARENTAL CONSENT

needed until **18 years old**.



WAITING PERIOD

Not applicable.



MEDICAL ABORTION

Not applicable.

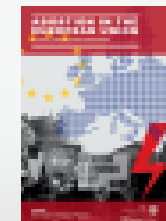


DATE

12 weeks in the case of rape certified by the public prosecutor. Can be extended on medical grounds (requiring the opinion of two doctors other than the one performing the procedure).



TIME LIMIT



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ACTORS

Abortion supporters
vs.
Abortion opponents



ISSUES



DISCOURSES



Conclusions

Social citizenship

remains a question in relation to reproductive freedom

Links & tensions

between human rights and citizenship rights around abortion

Avoid confusion

between right to abortion vs. right to safe and legal abortion

Thank you!

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More about FEPS work here:
 <https://feps-europe.eu/>

