

Polish Parliament Must Reject Regressive Proposals on Sexual and Reproductive Rights

Under embargo until 14 April 2020

We are deeply concerned by relentless attempts to roll back sexual and reproductive rights in Poland. On 15 and 16 April Poland's Parliament will again debate two draft bills that would severely limit access to safe abortion care and would criminalize the provision of sexuality education. These bills will place women's and adolescent's health and well-being at risk and violate Poland's international human rights obligations.

We call on Members of Poland's Parliament to reject these regressive legislative proposals. Under international human rights law measures that undermine or restrict existing rights are not permitted and violate the obligations of states to ensure ever greater protection of human rights.

The first draft bill known as "Stop Abortion" seeks to further limit the already highly restricted access to abortion in Poland. Poland has one of Europe's most restrictive abortion laws. Abortion is only permitted to safeguard the life or health of women, in situations of severe or fatal foetal impairment or where the pregnancy results from rape or another criminal act. Even in those situations in which abortion is legal, multiple barriers combine to severely limit access to care in practice. As a result, most women in Poland who need abortion care travel to other jurisdictions to access safe and legal care or obtain abortion medication from medical professionals in other countries. Limitations on travel and transport imposed as a result of the COVID-19 pandemic now compound the negative impacts of Poland's highly restrictive law and will increase the threats to women's health and well-being.

The second draft bill known as "Stop Pedophilia" seeks to introduce criminal penalties for providing any form of sexuality education and evidenced-based information on sexual and reproductive health and rights to adolescents. Poland already does not provide comprehensive sexuality education as required by international human rights and the bill will expose adolescents to risks to their health and make them vulnerable to exploitation.

In recent years there have been repeated attacks on reproductive rights in Poland and multiple attempts have been made to introduce total or near total bans on abortion. The government has in the past backed down from rolling back reproductive rights in the face of massive public protests, such as the Black Protests in 2016. However, in the context of restrictions on movement imposed to combat the COVID-19 pandemic such public protests against these bills cannot take place. We express our solidarity with Polish civil society during this difficult time.

Prohibiting access to safe, legal abortion care and criminalizing the provision of sexuality education violates a number of human rights enshrined in international law, including the rights to life, health, non-discrimination and equality, privacy, information, education, and freedom from cruel, inhuman or degrading treatment.

Numerous international human rights mechanisms have repeatedly called on Poland to reform its abortion law to ensure access to safe and legal abortion and to remove all barriers to abortion care. They have also called on Poland, to provide mandatory, age-appropriate, evidence-based and scientifically accurate comprehensive sexuality education across the education system.