



## Resolution 2439 (2022)<sup>1</sup>

# Access to abortion in Europe: stopping anti-choice harassment

Parliamentary Assembly

1. People who are committed to protecting access to free and safe abortions are subject to harassment by anti-choice activists in many Council of Europe member States. Targets include women's human rights defenders, healthcare professionals, politicians and people seeking abortion care.
2. Harassment may occur in various forms. People seeking an abortion experience stigmatisation, biased counselling based on inaccurate and misleading information, psychological pressure and manipulation of guilt and shame, including at or near facilities providing abortion care. Such harassment is perpetrated by anti-choice individuals and organisations that sometimes deceitfully represent themselves as governmental or pro-choice entities. Pro-choice activists, movements and non-governmental organisations face intimidation, online and offline abuse, smear campaigns and judicial harassment in the form of ungrounded or disproportionate civil or criminal law procedures. Healthcare professionals face intimidation and threats, including death threats, verbal and physical violence and undue pressure in the workplace from peers and superiors. Facilities providing abortion healthcare or information and pro-choice organisations are the targets of trespassing and property damage. There have also been allegations of police violence and arbitrary detentions in connection with demonstrations in defence of women's rights.
3. The Parliamentary Assembly refers to its [Resolution 2331 \(2020\)](#) "Empowering women: promoting access to contraception in Europe" and reiterates that the protection of women's sexual and reproductive health and rights, which are human rights and an important part of gender equality policies, should be given high priority.
4. The Assembly is concerned by the harassment and violence that targets those who are entitled to such rights, including people seeking abortion care and those who have a duty to offer it, as well as women's human rights defenders speaking out for the right to abort.
5. The Assembly denounces anti-choice harassment as a violation of fundamental rights set forth in national and international law, including the right to respect for private and family life, freedom of expression and freedom of assembly and association. This harassment may also be regarded as part of the wider attack on women's rights and gender equality at global level that should be effectively countered.
6. The Assembly recalls that the right to health includes a right to health-related information and considers it essential for the realisation of this right that Council of Europe member States counteract misinformation and disinformation on the topic of abortion.
7. The Assembly highlights that anti-choice harassment hinders the right to free and safe abortion, as stipulated in the legislation of most Council of Europe member States, as well as access to sexual and reproductive health and rights. This erodes the certainty of the law, a crucial element of the rule of law, which public authorities have a duty to protect.
8. The Assembly emphasises that the denial of abortion care may constitute torture or cruel, inhuman or degrading treatment, and it underlines the importance of the absolute prohibition of torture and other forms of cruel, inhuman or degrading treatment.

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1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 31 May 2022 (see [Doc. 15459](#), report of the Committee on Equality and Non-Discrimination, rapporteur: Ms Margreet De Boer).*



9. It is therefore crucial to act both at an individual and a general level, that is, to prevent, investigate and counter individual cases of harassment and to adopt effective legislation and policies to address the broader issue.

10. In the light of these considerations, the Assembly calls on Council of Europe member States, observers and partners for democracy to:

10.1. take the necessary measures to ensure that obstructing a person's access to legal abortion care or to relevant information is prohibited and criminally or otherwise sanctioned; the prohibited conduct should include online activities and prohibit anti-choice organisations from misrepresenting themselves as neutral or pro-choice organisations;

10.2. introduce buffer zones near to reproductive healthcare facilities and any organisation providing relevant information, so as to avoid disruption of the activities of medical institutions providing abortion care and ensure the safety of people seeking abortion care; within the buffer zones, all anti-choice information and awareness-raising activities and protests should be prohibited, whether aimed at the public or at individuals;

10.3. provide reliable information on reproductive rights and services, including abortion care, and take the necessary measures to counteract misinformation and disinformation on abortion; these measures should include specific monitoring to detect the possible spread of misinformation and disinformation, openly or covertly, by anti-choice organisations;

10.4. empower people to make informed choices by ensuring that evidence-based, medically accurate, non-judgmental information about abortion care is available online and offline, notably through information campaigns and comprehensive sexuality education; ensure that comprehensive sexuality education is provided in all schools; curriculums should cover sexual and reproductive health and rights, including contraception and abortion;

10.5. ensure effective access to legal abortion care, when provided for by national legislation, and relevant counselling by qualified healthcare professionals who provide objective information; conscientious objection, where legal, should never restrict actual and timely access to legal abortion care;

10.6. train healthcare professionals to provide information and care related to abortion in an evidence-based, unbiased, non-judgmental, respectful, confidential manner; protect healthcare professionals who provide abortion care from verbal or physical threats or attacks and from any pressure or retaliation, including at the professional level;

10.7. effectively investigate and prosecute online and offline hate speech targeting human rights defenders, including the possibility it is organised, and endeavour to prevent and counter networks of individuals and organisations created with the aim of harassing pro-choice activists and politicians as well as people seeking an abortion;

10.8. provide information and training to law-enforcement officers and members of the judiciary to ensure that they have a knowledge of the extent and impact of anti-choice activities.

11. Recalling its adopted texts on the situation of human rights defenders in Europe, including [Resolution 2095 \(2016\)](#) and [Recommendation 2085 \(2016\)](#) "Strengthening the protection and role of human rights defenders in Council of Europe member States", and [Resolution 2225 \(2018\)](#) and [Recommendation 2133 \(2018\)](#) "Protecting human rights defenders in Council of Europe member States", the Assembly reiterates its constant support for women's human rights defenders, in Council of Europe member States and beyond, and undertakes to protect them from undue pressure, intimidation and violence. In the present context, particular attention must be paid to online hate speech, which increasingly targets human rights defenders, making them vulnerable to further attacks.