

# [***Poland is debating an end to its near-total abortion ban, setting up a heated political fight***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BSC-TXY1-DY7V-G022-00000-00&context=1516831)

CNN Wire

April 11, 2024 Thursday 1:41 PM GMT

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**Length:** 1132 words

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**Dateline:** (CNN)

**Body**

(CNN) &#8212; Poland is debating changes to [*its near-total abortion ban*](https://www.cnn.com/2022/06/28/europe/poland-abortion-law-izabela-sajbor-death-intl-cmd/index.html) on Thursday, re-opening one of the country's thorniest social and political debates in an effort to overhaul some of the strictest laws on reproductive rights in Europe.

Prime Minister Donald Tusk's party has proposed changing the law - which currently prohibits terminations in almost all cases - to allow for abortions up to the 12th week of pregnancy.

But the issue sharply divides his governing coalition, and Poland's parliament will also debate bills from two parties that prop up his administration. One of those calls for legalization only if foetal abnormalities are detected in the first 12 weeks.

A further challenge awaits Tusk down the road; it is anticipated that any relaxation in the law would be vetoed by President Andrzej Duda, a conservative allied to the last government who has proved a foil to much of Tusk's agenda.

Though fraught with obstacles, the decision to bring abortion back to the fore was one Tusk had to make. Polish women furious with the previous government's draconian changes to abortion access fuelled Tusk's narrow election win last year, and now there is demand for Tusk to make good on his promises to undo the law.

A range of paths forward

Tusk's government has proposed a way forward that brings Poland in line with most European Union countries; legalizing abortion up to the 12th week of pregnancy, and after that date in cases where the life of the mother is at risk.

He is broadly supported in his goals by his left-wing governing ally Lewica, which is backing Tusk's plan while also putting forward its own bill that would, again, legalize abortion up to the 12th week.

But a far more challenging rival approach comes from another coalition member, Third Way, a center-right party containing socially conservative lawmakers.

Its proposed bill essentially takes Poland's laws back to how they stood before 2020. Until then, abortion in the predominately Catholic country had only been allowed under three circumstances: If the pregnancy was a result of rape or incest, if the mother's life was at risk, or in the case of fetal abnormalities.

Third Way lawmakers have also supported a referendum on changes to the abortion law, a potentially long-running saga that Tusk is eager to avoid.

The issue has exposed the first serious cracks in Tusk's governing coalition, which was elected thanks to widespread exasperation with the authoritarian Law and Justice (PiS) party, but which contains lawmakers from across the political spectrum.

"The only thing that worries me is that in this debate (is that) we, politicians, do not lose the essence of the matter: that we are talking about a woman, a human being, her free will, her dignity and her rights," Izabela Leszczyna, Poland's Minister of Health, told national broadcaster TVP on Thursday.

Poland's near-total abortion ban

The move by PiS to dramatically toughen already restrictive abortion laws in 2020 set off a heated fight in Polish ***politics*** whose ruptures are still closely felt.

PiS pledged to remove the fetal abnormality exception - the most frequently used case for legal abortion, which accounted for 98% of all known legal abortions carried out in Poland in 2019, according to data from the Ministry of Health - in an effort to essentially end abortion in the country.

That effort was blocked by opposition lawmakers, many of whom now find themselves in Tusk's coalition.

But PiS instead looked to the Constitutional Tribunal - a body it had filled with sympathetic judges - which ruled it was unconstitutional for women to terminate pregnancies in the case of fetal abnormalities, saying that the exception constituted "eugenic practices."

An outpouring of anger followed, with huge rallies sweeping Warsaw and other major Polish cities, and condemnation by west European nations.

That anger never dissipated, and protests became a regular occurrence in the country - particularly when individual stories of women being denied access to abortion, and [*in some cases dying*](https://www.cnn.com/2021/11/07/europe/poland-abortion-ban-march-intl/index.html), came to the fore.

And the backlash marked a turning point in PiS's favor with the public. Though Poland remains deeply Catholic, opinion polls have shown that voters generally opposed the strict overhaul of the law.

More battles ahead

The fury PiS unleashed among segments of Poland's population by changing the abortion law was one important factor in its eventual electoral defeat to Tusk last October.

But it also set the stage for a new battle, this time waged by Tusk, to fulfill his campaign pledges and liberalize Poland's laws on reproductive rights.

So far, his government has seized on lingering anger at PiS' two-term rule, acting quickly and forcefully to undo their overhaul of public media and bring Warsaw closer to its European Union allies. It has been rewarded with an uptick in opinion polling and an opposition that has struggled to find a way to successfully attack Tusk.

Whereas those issues unite the ruling parties, though, the question of abortion exposes divisions. Szymon Holownia, the Third Way leader and speaker of Poland's parliament, won votes with more socially conservative Poles and has broken with Tusk on the question.

The prospect of a referendum to change the law, floated by the Third Way, could answer the question definitely - but it brings with it the potential of a saga that could disrupt the rest of his legislative agenda and stoke tensions over an issue that divides families and communities.

Thursday's lengthy debates could, on one hand, seem futile; any change to abortion rules, even if it is agreed upon by the coalition, is likely to be struck down by President Duda, who is aligned with PiS and has already sought to frustrate Tusk's legal agenda.

Settling the issue quickly is therefore not an option that is available to Tusk. "(It is) sad that we have such a president and we will not be able to do anything for the next year or so," his health minister Leszczyna told TVP.

But the prime minister is setting himself up for what could be a years-long battle. There is a presidential election next year to replace Duda, and Tusk will seek to make abortion rights a central part of that campaign, forcing the PiS-aligned candidate to take a stance that could potentially jeopardize their support with women voters.

In the meantime, Tusk's government could pursue the decriminalization of abortion - something that is likely within its gift - before attempting to change the law after the May 2025 election.

But that approach alone will not do enough to satisfy the lawmakers to Tusk's left, and the voters who expect a more drastic overhaul.

CNN's Antonia Mortensen contributed reporting

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**Load-Date:** April 11, 2024

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