

2024-2029:
Priorities for EU
Action to Advance
Gender Equality
and Sexual and
Reproductive Health
and Rights

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2024-2029: Priorities for EU Action to Advance Gender Equality and Sexual and Reproductive Health and Rights

Ahead of the start of a new political cycle in the European Union (EU) in mid-2024, there is a critical opportunity to bolster commitments and action to ensure that the EU's foundational values of human rights, gender equality and respect for the rule of law are fully realised in all Member States and across all EU legislation and policies.

Much progress has been made during the 2019-2024 cycle but there is a need to reinforce and build on gains made in the sphere of gender equality and sexual and reproductive health and rights (SRHR) within the EU and around the world. Evidence shows that gender inequality in access to health care is now rising within EU Member States for the first time since 2010. The ongoing threats of regression on gender equality, and in particular on SRHR, require robust responses to halt and prevent backsliding and instead ensure continued progress.

Over the next five years, the EU needs to:

- 1) spearhead the adoption and implementation of laws and policies, strategies and actions to advance SRHR and gender equality;
- 2) bolster its leadership on SRHR globally and increase its action to protect and support human rights defenders;
- 3) strengthen internal governance structures and processes to advance SRHR as well as monitoring and data collection.

Concrete action across these three priority areas is critical to ensure continued progress on gender equality and SRHR within the EU and across the world. The implementation of these recommendations will have an important impact on the health, lives and human rights of millions of women and girls, in all their diversity.

Three Key Recommendations for Action

- 1) Strengthen the EU legislative and policy framework on gender equality and SRHR through adopting new legislation and policy guidance for Member States and ensure the effective implementation of existing laws.
- 2) Demonstrate global leadership on SRHR in relations with third countries, at the multilateral level and in humanitarian responses, including by taking robust action against retrogression and backsliding on SRHR, and increase support for human rights defenders working on SRHR.
- 3) Thoroughly monitor the state of SRHR in the EU and enact institutional reforms to ensure gender equality and SRHR are effectively addressed across all relevant EU mandates.

1. Legal and Policy Action: *Stronger Instruments*

Within the EU, women and girls in all their diversity should enjoy robust protection against discrimination in all areas of life, including access to health care. As such, all women and girls in the EU should have equal access to sexual and reproductive health care without any form of discrimination, especially when they are survivors of sexual and gender-based violence. In the next policy cycle, action should be taken to strengthen the EU law and policy framework in the following key areas within existing EU competence, and by expanding EU competence to adopt law and policy on SRHR:

- Ensure that the Directive on Combatting Violence Against Women and Domestic Violence, and the revised Directive on Victims' Rights guarantee the right of victims of sexual violence to comprehensive sexual and reproductive health care as part of the clinical management of rape.
- Adopt the Horizontal Anti-Discrimination Directive to ensure a comprehensive prohibition of sex and gender-based and intersectional discrimination in all areas, including access to health care.
- Remove the exception for abortion medicines and contraceptives from the Directive on the Community code relating to medicinal products for human use (pharmaceutical legislation).
- Amend the EU Charter of Fundamental Rights to explicitly guarantee the right to bodily and reproductive autonomy, including the right to abortion.
- Introduce and adopt EU legislation requiring Member States to remove abortion from national criminal laws and ensure that there are no criminal penalties for having, assisting with or providing abortion care or information about abortion.

- Issue EU policy guidance to Member States on good practices for abortion care provision in line with the 2022 World Health Organization guideline on abortion care.
- Issue updated guidance on the implementation of the Temporary Protection Directive's Articles 13.2 and 13.4 to clarify the obligations of Member States to provide all refugee women and girls from Ukraine with access to essential sexual and reproductive health services and all necessary support following sexual violence.
- Issue EU policy guidance to Member States on the assessment of gender-based claims for asylum to ensure that the rights of women and girls needing international protection as a result of gender-based persecution and SRHR violations are effectively safeguarded.

2. Legal and Policy Action: *Effective Enforcement*

Within the EU all women and girls must be guaranteed equal protection of their rights under existing EU law against discrimination, including in reproductive health care settings. Continuing practices of segregation and discrimination against Roma women in reproductive health care settings are in clear breach of EU law and must be urgently and effectively eradicated in the new political cycle.

- Introduce infringement proceedings in response to practices of segregation of Roma women in reproductive health care settings that violate the Race Equality Directive.
- Undertake a comprehensive study of the situation of Roma women and girls with regard to SRHR in EU Member States to identify failures and shortcomings in ensuring effective protection against discrimination and regularly monitor the situation.

3. Leadership: *Promoting SRHR Globally*

Over decades, EU Member States have led progress on gender equality and SRHR globally. This is reflected in the EU's longstanding commitment to contribute to an enabling legal, political and societal environment for SRHR in countries around the world. This commitment should be translated into bolder action in the next political cycle, reflecting the significant legal advances on SRHR across EU Member States. The EU's external action policies and strategies must affirm and reflect that progress on SRHR is vital for advancing gender equality globally and must promote implementation of international human rights standards on SRHR.

- Promote and support the full implementation of international human rights obligations and standards on SRHR as articulated by UN human rights bodies and experts in the EU's external action strategies, programs and actions including human rights and political dialogues.

- Promote and support strong affirmation of SRHR in line with international human rights law and standards in relevant UN Human Rights Council, General Assembly and Security Council resolutions and in other multilateral policy processes.
- Ensure that annual EU reports on human rights and democracy in the world pay specific attention to SRHR developments, issues and concerns and the situation of human rights defenders working to advance these rights.

4. Leadership: *Responding to Regression*

Regression and backlash against SRHR are contrary to human rights law and standards and the EU's foundational values. It threatens progress made over decades to advance gender equality and SRHR and the EU must give high priority in the next political cycle to responding effectively to these threats and safeguarding existing SRHR protections.

- Condemn in the strongest terms all retrogressive attempts to roll back, restrict or remove existing protections for SRHR and gender equality as well as all forms of threats, intimidation and harassment of human rights defenders and civil society organisations working to advance these rights.
- Ensure that retrogressive actions affecting SRHR are addressed in the context of the EU's monitoring of respect for the rule of law in Member States.
- Refrain from any action that could inadvertently lend support to regressive efforts by anti-SRHR and anti-equality stakeholders.

5. Leadership: *Protecting Women Human Rights Defenders*

Women human rights defenders and their organisations, in particular those working to advance SRHR, are increasingly at risk in many countries, including in Member States. They face intimidation, harassment, and threats to their personal liberty and safety. The EU must bolster strategies and action in the next political cycle to protect and support women human rights defenders working on SRHR, including those working to advance these rights within Member States.

- Ensure gender-sensitive implementation of the EU Guidelines on Human Rights Defenders to meet the support and protection needs of women human rights defenders, including those working on SRHR.
- Establish an early warning mechanism to monitor legislative proposals and other actions that limit the ability of human rights defenders and civil society working on gender equality and SRHR to operate freely and effectively.

- Regularly consult with women human rights defenders and civil society organisations in relation to the development, implementation and evaluation of all EU strategies, programs and actions related to gender equality and SRHR.
- Provide multi-year and flexible funding to civil society organisations, especially at the national level, working on gender equality and SRHR and ensure that reporting and administrative requirements do not disproportionately burden the recipient organisations.

6. Leadership: *Prioritising SRHR in Humanitarian Responses and the Women, Peace and Security Agenda*

Across the world a growing number of women and girls are affected by conflict and humanitarian emergencies. The EU must ensure that SRHR is prioritised in its policies and programs related to humanitarian situations to ensure that women and girls have access to timely and quality comprehensive sexual and reproductive health care. The EU should also support action to guarantee accountability and access to justice for any violations of SRHR in humanitarian settings as an integral part of effective and transformative remedies and reparations.

- Issue a EU communication mandating that EU-led humanitarian responses systematically include support and financing for sexual and reproductive health supplies and services as outlined in the Minimum Initial Service Package for Sexual and Reproductive Health in crisis situations (MISP for SRH).¹
- Issue a new EU Action Plan on Women, Peace and Security (WPS) that includes specific commitments, actions and indicators on SRHR and accountability for violations of SRHR in conflict settings in line with international human rights standards and recommendations.
- Ensure that all EU humanitarian response funding prioritises SRHR and addresses the needs of civil society organisations working on gender equality and SRHR in humanitarian settings.

¹ The Minimum Initial Service Package (MISP) for Sexual and Reproductive Rights (SRH) in crisis situations is a series of lifesaving activities required to respond to SRH needs of affected populations at the onset of a humanitarian crisis. The MISP was developed by the Inter-Agency Working Group for Reproductive Health in Crisis (IAWG), a coalition of over 20 agencies working to expand and improve access to quality SRH services for people affected by conflict and natural disasters. [Minimum Initial Service Package \(MISP\) for SRH in Crisis Situations \(unfpa.org\)](https://www.unfpa.org/minimum-initial-service-package).

7. SRHR in Accession Processes

As more countries are set to and seek to join the EU during the next political cycle, the EU must ensure that candidate countries' laws, policies and practices on SRHR and gender equality meet international human rights standards and reflect strong commitments to the EU's foundational values.

- Establish robust indicators on SRHR in line with international human rights obligations and standards for assessing candidate countries' adherence to the Copenhagen criteria.

8. Strengthen EU Governance on SRHR

Effectively promoting the EU's foundational values of gender equality and human rights requires strong institutional structures and processes, including for addressing SRHR issues. During the next political cycle the EU should ensure that its internal structures and processes are fit for ensuring adequate attention is paid to gender equality and SRHR.

- Establish a Council preparatory body dedicated to gender equality and women's human rights in the EU, and ensure regular exchanges of good practices between Member States and stakeholders on SRHR issues.
- Ensure the appointment of a EU Commissioner for Equality with a clear mandate to advance SRHR in the EU within the EU's competence and adequate resources and means to do so.
- Establish a dedicated Directorate-General for Equality in the European Commission.
- Entrust the EU Ambassador for gender and diversity with a clear mandate to address SRHR in the EU's external action.
- Provide regular training for relevant EU staff and EU delegations on gender equality and SRHR, including developments in human rights law and standards.
- Maintain the current status of the European Parliament's Committee on Women's Rights and Gender Equality.
- Ensure the appointment of a gender liaison officer in all EU delegations as a dedicated and distinct role with a clear mandate to promote gender equality and SRHR.

9. Data Collection and Monitoring on SRHR

Data collection and monitoring of SRHR across the EU is critical to informing legal and policy actions to address any barriers, shortcomings or discrimination.

- Mandate the European Institute for Gender Equality to monitor the status of SRHR across the EU, including progress by Member States in meeting the goals and indicators under the SDGs.
- Mandate the Fundamental Rights Agency to monitor intersectional forms of discrimination in the area of SRHR.