

MEDIA FACT SHEET

Europe Abortion Laws 2026: European Union

Across the European Union, the dominant legal trend is towards stronger protection for abortion rights, but significant disparities remain between Member States. Most allow abortion on request, and many have expanded access in recent years, while restrictive laws, criminalisation and procedural barriers persist in parts of the EU. At the same time, recent EU-level developments have opened new avenues for action to improve access to abortion care.

HIGHLIGHTS

1. **Across the EU, the dominant legal trend is towards stronger protection for abortion rights, but major disparities remain.**

Across the EU, abortion on request is legal in 25 of the 27 Member States. Over the past decade, many Member States have expanded access by removing legal barriers, extending gestational limits and improving access to medication abortion. However, access continues to vary significantly across the EU. Malta and Poland remain the only Member States to retain highly restrictive abortion laws.

2. **Constitutional protection for abortion rights is gaining ground.**

Following France's historic 2024 constitutional reform, Luxembourg has now enshrined the freedom to access abortion in its Constitution. Further constitutional reform efforts are under consideration in Belgium, Sweden and Spain.

3. **Criminalisation remains widespread across the EU.**

In many EU Member States, abortion remains regulated through criminal law, and 13 Member States still criminalise women who have abortions outside legal pathways.

4. **Procedural and financial barriers continue to obstruct access to care.**

Even where abortion is legal, many Member States continue to impose unnecessary barriers, including mandatory waiting periods, mandatory counselling or information requirements, distress requirements and financial obstacles. These outdated barriers delay, obstruct or deny access to timely, affordable and good quality abortion care, and have no place in modern abortion law.

5. **Recent EU action has opened new avenues to improve abortion access.**

Following the European Citizens' Initiative, the European Commission confirmed that Member States may voluntarily use existing EU funding instruments, including the European Social Fund Plus, to support access to legal abortion care, including in cross-border situations. The Commission has reaffirmed commitments to advancing sexual and reproductive health in the Roadmap for Women's Rights and Gender Equality Strategy 2026-2030.

KEY NUMBERS

- **25 out of 27 EU Member States** allow abortion on request, at least in early pregnancy.
- **12 Member States** have enacted meaningful reforms to improve access in the last decade.

- **Only 3 Member States** (Italy, Hungary and Poland) have introduced regressive legal or policy barriers in the last decade.
- **Only 2 Member States** (Poland and Malta) retain highly restrictive abortion laws.
- **13 Member States** still criminalise women who have abortions outside legal pathways.
- **8 Member States** that allow abortion on request still impose mandatory waiting periods.
- **2 Member States** (Germany and Hungary) still impose biased or directive counselling aimed at discouraging abortion.

WHAT EU MEMBER STATES AND EU INSTITUTIONS SHOULD DO

EU Member States should:

- decriminalise abortion
- legalise abortion on request
- remove mandatory waiting periods and counselling requirements
- ensure affordability
- expand medication abortion access
- protect people seeking and providing care

EU institutions should:

- use their existing powers on funding, equality, public health and medicines to reduce barriers to abortion care
- support cross-border access
- ensure future EU funding helps address inequalities across the EU

For more information, please contact mkralj@reprorights.org.