Parliamentary **Assembly**
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COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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Verdict of the European Court of Human Rights in the case of a refusal of performing an abortion in Poland

Written Declaration No 391

This written declaration commits only the members who have signed it

On 20 March 2007 the European Court of Human Rights (ECHR) issued an unprecedented verdict in the case of Alicja Tysiąc versus Republic of Poland. Alicja Tysiąc had accused Poland of having been refused a right to an abortion. The woman wanted to perform an abortion on the basis of an alleged threat to her health. As confirmation of her concerns she presented an opinion of a single general practitioner rejecting at the same time an unanimous opinion of eight specialists. ECHR accepted Tysiac's arguments and awarded her 25,000 Euros in damages. ECHR, invoking the mother's right to privacy, in fact found its primacy over the child's right to life. It was an unprecedented verdict as well as an interference in a domestic law system of State in the field of a right to abortion.

It creates justified anxieties that it is the beginning of a dangerous process of ideological interpretation of a Convention in order to force the member states to change the abortion law.

We, undersigned members of the Council of Europe, categorically protest against it.

Signed (see overleaf)

Signed: [1]

LIBICKI, Jan Filip, Poland, EDG
Baroness KNIGHT OF COLLINGTREE, United Kingdom, EDG
BENDER Ryszard, Poland, EDG
BOSAK Krzysztof, Poland, EDG
EVANS Nigel, United Kingdom, EDG
FEDOROV Valeriy, Russian Federation, EDG
GIRZYŃSKI Zbigniew, Poland, EDG
GRZESIK Andrzej, Poland, EPP/CD
KAWA Marek, Poland, NR
KLYUEV Serhiy, Ukraine, NR
KOLESNIKOV Borys, Ukraine, NR
KOSACHEV Konstantin, Russian Federation, EDG
MARGELOV, Mikhail, Russian Federation, EDG
MEALE, Alan, United Kingdom, SOC
POPOVA, Tatiana, Russian Federation, NR
SOLONIN, Yury, Russian Federation, EDG
VIS, Rudi, United Kingdom, SOC
WALTER, Robert, United Kingdom, EDG
WITA, Tadeusz, Poland, EDG
WOLDSETH, Karin S., Norway, EDG
ZVYAHILSKIY, Yukhim, Ukraine, NR

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Total = 21

1 SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group