



Deposited via The University of Leeds.

White Rose Research Online URL for this paper:

<https://eprints.whiterose.ac.uk/id/eprint/213004/>

Version: Accepted Version

Article:

Tongue, Z.L. (2024) France's constitutional right to abortion: symbolism over substance. Medical Law Review, 32 (3). fwae019. pp. 392-398. ISSN: 0967-0742

<https://doi.org/10.1093/medlaw/fwae019>

This item is protected by copyright. This is an author produced version of an article published in Medical Law Review. Uploaded in accordance with the publisher's self-archiving policy.

Reuse

Items deposited in White Rose Research Online are protected by copyright, with all rights reserved unless indicated otherwise. They may be downloaded and/or printed for private study, or other acts as permitted by national copyright laws. The publisher or other rights holders may allow further reproduction and re-use of the full text version. This is indicated by the licence information on the White Rose Research Online record for the item.

Takedown

If you consider content in White Rose Research Online to be in breach of UK law, please notify us by emailing eprints@whiterose.ac.uk including the URL of the record and the reason for the withdrawal request.

FRANCE'S CONSTITUTIONAL RIGHT TO ABORTION: SYMBOLISM OVER SUBSTANCE

Running Head: France Constitutional Right to Abortion

Article Category: Commentary

Zoe L. Tongue¹

¹ School of Law, University of Leeds, Leeds, UK

*Dr Z.L. Tongue, School of Law, University of Leeds, The Liberty Building, Woodhouse Lane Leeds, LS2 9JT, UK, Z.Tongue@leeds.ac.uk.

ETHICS: N/A

FUNDING: N/A

CONFLICT OF INTEREST: N/A

In March 2024, France's Parliament passed an amendment to enshrine abortion in the country's Constitution.¹ The proposal followed the US Supreme Court's 2022 decision in *Dobbs v. Jackson* to overturn the right to abortion that had been set out in *Roe v. Wade* in 1973.² The French President Emmanuel Macron introduced the draft amendment as a response to the US backlash against abortion rights, sending a 'message of solidarity' with those affected by abortion prohibitions.³ Feminist groups and activists had been calling for Macron to recognise sexual and reproductive rights including abortion in the French Constitution since his election in 2017.⁴ To avoid the need for a referendum, the proposed amendment required majority support (at least three-fifths) of both the lower and upper houses of Parliament. It far exceeded that threshold, with 780 out of 925 possible votes in favour of the change, and just 72 against.⁵ While this has been seen as a landmark step in the recognition of abortion rights, there remain issues with access to abortion and broader reproductive healthcare in France.

A Progressive Move?

This show of support for reproductive rights is an important step in light of the regression on abortion that has been seen in the US and Europe in recent years. In 2020, the Polish Constitutional Tribunal held that abortion on the grounds of foetal impairment was unconstitutional, thus further restricting the country's already very strict abortion law.⁶ Elsewhere, there are significant barriers to accessing abortion services, from widespread

¹ George Wright, 'France makes abortion a constitutional right' (*BBC News*, 4 March 2024) <<https://www.bbc.co.uk/news/world-europe-68471568>> accessed 23 April 2024.

² *Dobbs v. Jackson* (2022) 597 U.S. 215; *Roe v. Wade* (1973) 410 U.S. 113. See, for a critique of the decision, Emily Ottley, Karolina Szopa, and Jamie Fletcher, '*Dobbs v. Jackson Women's Health Organization* (2022): consequences one year on' (2023) 31(3) *Med. L. Rev.* 457.

³ Angela Giuffrida, 'Abortion rights will be in French constitution next year, Macron vows' (*The Guardian*, 29 October 2023) <<https://www.theguardian.com/world/2023/oct/29/emmanuel-macron-to-enshrine-womens-right-to-abortion-in-france>> accessed 23 April 2024.

⁴ Le Planning Familial, 'Election of Emmanuel Macron: Planning remains vigilant and mobilised' (8 May 2017) <<https://www.planning-familial.org/fr/le-planning-familial-de-lisere-38/feminisme/election-demmanuel-macron-le-planning-reste-vigilant-et>> accessed 23 April 2024.

⁵ Wright (n1).

⁶ Polish Constitutional Tribunal Case K1/20, amending the Family Planning, Human Embryo Protection and Conditions of Permissibility of Abortion Act 1993.

conscientious objection to abortion in Italy which creates significant geographical variations in access, to the mandatory counselling, waiting period, and ultrasound requirements in Hungary.⁷ In Malta, abortion remains entirely prohibited except where there is a risk to the pregnant person's life – a therapeutic exception which was only introduced in 2023.⁸ While the European Court of Human Rights has been willing to recognise a procedural right to abortion under Article 8 of the Convention, this has been limited to where the state in question has already legalised abortion on that particular ground.⁹ Within this context, the recognition of an explicit right to abortion is politically symbolic, and the European Parliament has since followed suit by passing a motion calling on the Council of Europe to include abortion in the European Union Charter of Fundamental Rights.¹⁰

As such, the amendment has been hailed as a pioneering move as France became the 'world's first country' to include a right to abortion in its Constitution.¹¹ While this is strictly true, as no other country has *explicitly* mentioned abortion in their Constitution, there are those that include reproductive rights in a broader sense. Commentators have pointed out that the former Socialist Federal Republic of Yugoslavia had included the right to freely decide on the birth of one's children in its 1974 Constitution.¹² Serbia and Slovenia, two former Yugoslav

⁷ Zoe L. Tongue, 'On conscientious objection to abortion: Questioning mandatory referral as compromise in the international human rights framework' (2022) 22(4) *Med. Law Int.* 349, 355-356; Edit Inotai, 'Hungary tightens abortion law by decree' (*Balkan Insight*, 13 September 2022) <<https://balkaninsight.com/2022/09/13/hungary-tightens-abortion-law-by-decree/>> accessed 23 April 2024.

⁸ The Guardian, 'Malta to allow abortion but only when woman's life is at risk' (28 June 2023) <<https://www.theguardian.com/world/2023/jun/28/malta-to-allow-abortion-but-only-when-womans-life-is-at-risk>> accessed 23 April 2024.

⁹ Chiara Cosentino, 'Safe and Legal Abortion: An Emerging Human Right? The Long-lasting Dispute with State Sovereignty in ECHR Jurisprudence' (2013) 15 *Hum. Rts. Law Rev.* 569, 587.

¹⁰ European Parliament resolution of 11 April 2024 on including the right to abortion in the EU Fundamental Rights Charter 2024/2655 (RSP).

¹¹ Joshua Berlinger and Xiaofei Xu, 'France becomes the world's first country to enshrine abortion rights in constitution' (*CNN*, 4 March 2024) <<https://edition.cnn.com/2024/03/04/europe/france-abortion-constitution-intl/index.html>> accessed 23 April 2024.

¹² Tanja Ignatovic, 'Yugoslavia Pioneered Abortion Rights in Constitution Long Before France' (*Balkan Insight*, 8 March 2024) <<https://balkaninsight.com/2024/03/08/yugoslavia-pioneered-abortion-rights-in-constitution-long-before-france/>> accessed 23 April 2024.

states, have both retained versions of the right in their Constitutions.¹³ Moreover, the first explicit inclusion of a binding right to abortion in international law was in the African Women's Rights Protocol, adopted in 2003 and ratified by 44 of the 55 African Union member states.¹⁴ There are also examples of progressive law reform and abortion rights recognition in lieu of an explicit addition to the Constitution: for example, India's Supreme Court has recognised the importance of access to abortion in order to uphold the fundamental rights that are recognised in the Indian Constitution, and Argentina broadly legalised abortion in 2020 with legislation that makes reference to international human rights standards.¹⁵ Thus, Western Europe is in fact behind when it comes to the recognition of abortion as a right.

Moreover, it is also important to consider the specific wording of the new constitutional right. The initial proposal was to recognise that 'the law guarantees the effectiveness of and equal access to the right to voluntary interruption of pregnancy.'¹⁶ However, the version that has now been adopted is a watered down one: 'the law determines the conditions under which the freedom guaranteed to a woman to have recourse to a voluntary interruption of pregnancy is exercised.'¹⁷ Thus, the new 'right' to abortion is not really a right at all. There is no guarantee of effective and equal access to abortion, but rather only a guarantee that there will be a provision for abortion in law. The *extent* of that provision is left to Parliament, retaining the potential for a relatively restrictive legislative framework. As Vauchez highlights, it is unclear at what point a regression would trigger constitutional action.¹⁸ In retaining the space for

¹³ *Ibid*; Vesna Leskošek, 'The history of the struggle for the right to abortion' in Ana Kralj, Tanja Renner, Vesna Leskošek, Metka Mencin, and Mirjana Ule, *Abortion and Reproductive Rights in Slovenia* (Routledge, 2023).

¹⁴ African Union, Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (11 July 2003), Article 14(2)(c).

¹⁵ *X v Health and Family Welfare Department* [2022] 5802/2022 (Supreme Court of India), para. 133; Voluntary Interruption of Pregnancy Law 2020 (Argentina), art. 3.

¹⁶ Assemblée Nationale, 'Proposition de loi Constitutionnelle visant à protéger et à garantir le droit fondamental à l'interruption volontaire de grossesse' (24 November 2022) <https://www.assemblee-nationale.fr/dyn/16/textes/116t0034_texte-adopte-seance.pdf> accessed 23 April 2024.

¹⁷ Constitution of France art. 34.

¹⁸ Stéphanie Hennette Vauchez, 'The Enshrinement of Abortion in the French Constitution. Kairos: Dobbs as a window of opportunity? (Part I)' (*Oxford Human Rights Hub*, 14 March 2024) <<https://ohrh.law.ox.ac.uk/the->

compromise on abortion, the new amendment appears to be a largely symbolic move aimed at scoring political points in the context of increasing abortion restrictions worldwide, rather than a substantive promise to ensure and protect access.

Access to Abortion in France

The criminalisation of abortion was common across Western Europe, but France was among the few countries to have imposed a death penalty for illegal abortion. In July 1943, Marie-Louise Giraud became the last woman to be guillotined in France, for the crime of performing 27 abortions.¹⁹ Abortion subsequently became permissible on therapeutic grounds if performed by a medical professional, and in 1975, was legalised on request within the first 10 weeks of pregnancy.²⁰ However, as with many countries, the legalisation of abortion was concerned with the public health issues surrounding unsafe, illegal abortions, and abortion was to be permitted only as an ‘exceptional’ measure.²¹ France’s abortion law has incrementally become more permissive since then. The time frame was extended to 12 weeks in 2001,²² and to 14 weeks in 2022.²³ Additional barriers to access included in the 1975 law, such as the mandatory waiting period between the request and the abortion, have also been removed.²⁴ France also became one of the first countries to authorise the use of the abortion pill mifepristone (which was

enshrinement-of-abortion-in-the-french-constitution-kairos-dobbs-as-a-window-of-opportunity-part-i/> accessed 23 April 2024.

¹⁹ Anne Sebba, *Les Parisiennes: How the Women of Paris Lives, Loved and Died in the 1940s* (Weidenfeld & Nicholson, 2016) ch. 3.

²⁰ Voluntary Interruption of Pregnancy Act 1975 (France). In France, the gestational time limit begins after two weeks of an absent menstrual period.

²¹ Clara Clymer, ‘Simone Veil’s Speech Before the French Assembly on the Legalization of Abortion (November 26, 1974)’ (*Translorial*, 26 November 2021) <<https://www.translorial.com/perspective/simone-veils-speech-before-the-french-national-assembly-on-the-legalization-of-abortion-november-26-1974/>> accessed 23 April 2024.

²² Law No. 2016-41 of 26 January 2016, amending Public Health Code L2212-1 (France).

²³ Law No. 2022-295 of 2 March 2022, amending Public Health Code Article L2212-1 (France).

²⁴ Law No. 2001-588 of 4 July 2001 art. 6, amending Public Health Code Article L2212-5 (France).

developed by a French pharmaceutical company),²⁵ and in April 2020, at the start of the COVID-19 pandemic, was among the few countries²⁶ that allowed the abortion pills misoprostol and mifepristone to be prescribed remotely, enabling pregnant people to have medical abortions at home within the first 5 (7 including the two weeks following the last menstrual period) weeks of pregnancy.²⁷

However, while the French abortion regime appears progressive in relation to more restrictive legal landscapes, there are ongoing issues with access both before and after the 14-week gestational time limit. While efforts have been made to improve access to abortion care in France, and abortion is fully covered by the social insurance system, barriers to access remain in some regions.²⁸ It is relatively common for a pregnant person to travel within France to obtain abortion care, for several reasons: a lack of abortion services in their department of residence; long waiting times which would risk pushing them beyond the gestational time limit for abortion; and the ease of access to quality care in larger cities such as Paris.²⁹ In one study, while travel to Paris did not represent a significant financial challenge for the people interviewed, those who were less economically secure took less time off work for their journey to avoid losing more wages.³⁰ For socio-economically disadvantaged pregnant people or those

²⁵ Lauren Collins, 'The Complicated Life of the Abortion Pill' (*The New Yorker*, 5 July 2022) <<https://www.newyorker.com/science/annals-of-medicine/emile-baulieu-the-complicated-life-of-the-abortion-pill>> accessed 23 April 2024.

²⁶ For commentary on telemedical abortion in England and Wales, see: Adelyn L. M. Wilson, 'The Health and Care Act 2022: inserting telemedicine into the Abortion Act 1967' (2023) 31(1) *Med. L. Rev.* 158; Jordan A. Parsons and Elizabeth Chloe Romanis, *Early Medical Abortion, Equality of Access, and the Telemedical Imperative* (Oxford University Press, 2021).

²⁷ Haute Autorité de Santé, 'Réponses rapides dans le cadre du COVID-19: Téléconsultation et télésoin' (1 April 2020) <https://www.has-sante.fr/upload/docs/application/pdf/2020-04/reponses_rapides_dans_le_cadre_du_covid-19_-_teleconsultation_et_telesoin.pdf> accessed 23 April 2024.

²⁸ Karen Gibelin and others, 'COVID-19 impact in abortions' practice, a regional French evaluation' (2021) 50 *J. Gynecol. Obstet. Hum. Reprod.* 102038; Laura Rahm and others, 'Inter-departmental abortion travels in metropolitan France: A mixed-methods analysis of women's experiences, access, and barriers to abortion care' (2022) 17(10) *PLoS ONE* e0273190.

²⁹ Rahm and others (n27).

³⁰ *ibid* 17.

who are financially dependent (for example, adolescents), travelling for access to timely and quality abortion care may not be an option.

There have also been issues in implementing some of the more progressive changes to the law. Following the extension of the gestational time limit, the change was inconsistently implemented across the country and some facilities continued to provide services only up to 12 weeks.³¹ Similarly, while telemedicine ought to have addressed some of the geographical barriers to abortion, it was again inconsistently implemented. Initially, telemedicine was only to be introduced for the duration of the pandemic so that pregnant people would not have to put themselves at risk of catching the COVID-19 virus when having an abortion. Yet, in some regions, telemedicine for medical abortion was only available from less than half of providers; while more providers allowed pregnant people to take abortion medication at home, they were required to have an in-person consultation first and a post-abortion check-up (whereas telemedicine allows for a fully remote consultation and prescription, and a simple at-home post-abortion pregnancy test).³² Requests to Women on Web, an online provider of abortion pills to those living in countries where abortion is restricted or inaccessible, by pregnant people in France increased significantly throughout 2020.³³ Many of these requests were not related to COVID-19, but rather concerned socio-economic vulnerabilities and the stigma surrounding abortion.³⁴ As of 2022, telemedicine and the use of abortion medication at home is now permitted permanently up to 7 (9 including the two weeks following the last menstrual period weeks' gestation,³⁵ but inconsistencies in access are likely to have remained an issue.

³¹ Solène Cordier, 'Abortion in France: Why the law extending the legal time limit for abortion is difficult to implement' (*Le Monde*, 19 November 2022) <https://www.lemonde.fr/en/france/article/2022/11/19/abortion-in-france-why-the-law-extending-the-legal-deadline-for-abortion-is-difficult-to-apply_6004842_7.html> accessed 23 April 2024.

³² Gibelin and others (n27) 2.

³³ Hazel Atay and others, 'Why women choose at-home abortion via teleconsultation in France: drivers of telemedicine abortion during and beyond the COVID-19 pandemic' (2021) 47 *BMJ Sex. Reprod. Health* 285.

³⁴ *ibid* 290.

³⁵ Decree No. 2022-212 of 19 February 2022, amending Public Health Code Article R. 2212-10 (France).

After the 14-week gestational limit, abortion is restricted to where two healthcare providers certify that it is necessary to prevent injury to the pregnant person's physical or mental health, where there is a risk to the pregnant person's life, or where the foetus would be born with a severe incurable illness.³⁶ This is relatively restrictive in comparison with other European countries. In the UK, abortion is limited to those three grounds only after 24 weeks' gestation, before which an abortion is allowed where two doctors certify that continuing the pregnancy poses a greater risk of injury to the pregnant person's physical or mental health than an abortion (and in Northern Ireland on request within the first 12 weeks), which in practice means that abortion can be routinely offered.³⁷ The Netherlands similarly allows abortion for broad 'medical reasons' up to 24 weeks, and Sweden allows for abortion on request up to 18 weeks.³⁸ It is therefore common for pregnant people in France needing an abortion after the 14-week limit to seek services abroad, at a potentially significant financial cost. Abortion Support Network, a UK charity offering financial support to those having to travel abroad for legal abortions in Europe, has noted that its third largest country demographic is people in France, after Poland and Republic of Ireland.³⁹ While the Republic of Ireland also saw constitutional change around abortion in 2018, when the constitutional ban on abortion was repealed by referendum, abortion remains restricted after the first 12 weeks' gestation, and many pregnant people experience the 'timing out' of legal care.⁴⁰ Similarly, by limiting abortion after 14 weeks, France excludes many pregnant people from abortion care.

³⁶ Public Health Code Article L2213-1 (France).

³⁷ Abortion Act 1967 (as amended by HFEA, s 37), s.1(1)(a)-(d); Abortion (Northern Ireland) Regulations 2020 s.3-7.

³⁸ Termination of Pregnancy Act 1984 (Netherlands); Swedish Code of Statutes 1974:595.

³⁹ Dani Anderson, 'Abortion rights in France are still too limited after senate vote on constitution' (*The Guardian*, 7 March 2024) <<https://www.theguardian.com/world/2024/mar/07/abortion-rights-in-france-are-still-too-limited-after-senate-vote-on-constitution>> accessed 23 April 2024.

⁴⁰ Marie O'Shea, 'The Independent Review of the Operation of the Health (Regulation of Termination of Pregnancy) Act 2018' (28 February 2023) <<https://www.gov.ie/en/publication/13fe5-the-independent-review-of-the-operation-of-the-health-regulation-of-termination-of-pregnancy-act-2018/>> accessed 23 April 2024, p.34.

These issues with access to abortion services in fact fall short of international human rights standards on abortion. The UN Committee on Economic, Social, and Cultural Rights (CESCR) and the Committee on the Elimination of Discrimination against Women (CEDAW) have emphasised the importance of timely access to quality abortion services, placing positive obligations on states to remove barriers and facilitate equal access to abortion facilities, including for those living away from urban areas.⁴¹ In 2023, CESCR commented upon, more generally, the regional inequalities with access to healthcare in France, and recommended the allocation of resources to the healthcare sector, particularly in rural and disadvantaged areas.⁴² In the same year, CEDAW recognised the specific impact of these inequalities on sexual and reproductive healthcare, highlighting the fact that some regions of France have insufficient numbers of abortion providers, and that there are significant disparities in services between mainland France and its overseas territories.⁴³

The recognition of abortion in the Constitution therefore means very little without a commitment to address these issues, as many pregnant people in France and across its overseas territories are without easy access to abortion. The French government must put the new amendment into practice through a concerted effort to improve and expand access to abortion. While proposals for improving access are likely to be brought under the ‘semantic leverage’⁴⁴ of the constitutional amendment, it remains to be seen whether it has practical leverage.

⁴¹ CEDAW, ‘General Recommendation No. 24: Article 12 of the Convention (Women and Health)’ (1999) UN Doc. A/54/38/Rev.1, paras. 21-25; CESCR, ‘General Comment No. 22 on the Right to Sexual and Reproductive Health (Article 12 of the ICESCR)’ (2 May 2016) UN Doc. E/C.12/GC/22, para. 41.

⁴² CESCR, ‘Concluding Observations on the Fifth Periodic Report of France’ (30 October 2023) UN Doc. E/C.12/FRA/CO/5, paras. 48-49.

⁴³ CEDAW, ‘Concluding Observations on the Ninth Periodic Report of France’ (14 November 2023) UN Doc. CEDAW/C/FRA/CO/9, paras. 37-38.

⁴⁴ Stéphanie Hennette Vauchez, ‘The Enshrinement of Abortion in the French Constitution. Phronesis: after the celebration, a call for caution (Part II)’ (*Oxford Human Rights Hub*, 14 March 2023) <<https://ohrh.law.ox.ac.uk/the-enshrinement-of-abortion-in-the-french-constitution-phronesis-after-the-celebration-a-call-for-caution-part-ii/>> accessed 23 April 2024.

Reproductive Rights (Violations) in France

France has a dark history when it comes to abortion and reproductive rights. In the 1960s, at a time when abortion was still illegal in France, thousands of poor women of colour on the overseas territory of Réunion were subjected to forced abortions (often followed by sterilisation) without their knowledge by white French doctors.⁴⁵ When these doctors were arrested and put on trial, they claimed that the abortions had been supported and encouraged by French politicians who viewed the island as having ‘demographic issues’.⁴⁶ Vergès highlights that this was the result of colonial and post-slavery perceptions of women of colour, viewed as being ‘without restraint’ and in need of state control.⁴⁷ At the same time, French women were viewed as having a ‘traditional duty’ to procreate and hold up the French nation.⁴⁸ Thus, population control in France’s overseas territories accompanied politicians’ resistance to allowing French women to control their own reproduction.⁴⁹ However, French feminist movements largely ignored the issues faced by those living in the overseas territories, focusing only on access to birth control and abortion.⁵⁰ While access to voluntary birth control and abortion services is, of course, also important for those in the overseas territories, the focus on allowing women to not have children was prioritised above the recognition that many women had been prevented from having children.

Within this context, it is notable that while some feminist movements in France were campaigning to have broader sexual and reproductive rights included in the Constitution, the amendment is limited to abortion only. France also has significant inequalities in access to maternal healthcare, which disproportionately impact women of colour. Migrant women

⁴⁵ Françoise Vergès, *The Wombs of Women: Race, Capital, Feminism* (Duke University Press, 2020) p.12.

⁴⁶ *ibid* p.18.

⁴⁷ *ibid* p.26.

⁴⁸ *ibid* p.27.

⁴⁹ *Ibid*.

⁵⁰ *ibid* p.89-91.

(particularly migrant women from sub-Saharan Africa), and those living in the overseas territories, have a maternal mortality rate of up to 3.5 times that of French-born women and those living in mainland France.⁵¹ Broader issues that impact reproductive rights, such as poverty and access to clean water, have also been raised by CESCR as concerns in the overseas territories.⁵² CESCR highlighted in its General Comment 22 that these issues and other underlying determinants limit ‘the choices that individuals can exercise with respect to their sexual and reproductive health.’⁵³ Member states, including France, therefore have the obligation to address these issues whether they stem from law, institutional arrangements, or socio-cultural practices.⁵⁴

There is a need for a contextualised understanding of sexual and reproductive rights and how they are interlinked. The new constitutional amendment on abortion, in the absence of this broader commitment to reproductive rights, ignores many of the injustices and rights violations faced by people capable of becoming pregnant who live in France and its overseas territories. With this in mind, we cannot hold France up as a bastion of reproductive rights over one legislative action – much more is needed, including but also going beyond abortion access.

Conclusion

The recognition of abortion as an explicit right is an important step, and one which other countries ought to follow. However, France’s new constitutional amendment offers relatively weak protection for access to abortion, and without meaningful commitments to reform the law

⁵¹ INSERM, Santé Publique France, ‘6th Report of the National Confidential Enquiries on Maternal Mortality (ENCMM): 2013-2015’ (January 2021) <<https://cress-umr1153.fr/wp-content/uploads/2024/01/Report-of-the-National-Confidential-Enquiries-on-Maternal-Mortality-ENCMM-2013-2015.pdf>> accessed 23 April 2023, paras. 2.2.2-2.2.4.

⁵² CESCR (n39) paras. 38-39; 46-47.

⁵³ CESCR (n38) paras. 7-8.

⁵⁴ *ibid.*

and ensure comprehensive access to abortion across France and its overseas territories, it will remain purely symbolic. In light of France's troubling (post)colonial history of violating the reproductive rights of women within its overseas territories, it is problematic to hold up France as 'pioneering' in this area – particularly when significant inequalities in reproductive outcomes remain. If French politicians want to claim that position, action on abortion access, maternal healthcare, and beyond is required to redress its current violations of international human rights standards on sexual and reproductive rights.