



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR JUSTICE AND CONSUMERS

Directorate D – Equality and Non-Discrimination
Unit D.3 – Gender Equality

Brussels
JUST.D.3/MP

PatriotPetition.org
info@patriotp petition.org

Subject: PETITION from citizens to stop the use of funds from the "European Social Fund Plus" (ESF+) to finance cross-border abortions - 6,655 signatories

Dear Petitioner,

Thank you for your letter from 29 April 2026, which we have filed under registration number Ares(2026)4429191.

In your letter you express concerns over the Commission's reply to the European Citizen's Initiative "My Voice, My Choice". You allege that the reply of the Commission and its decision to reiterate the possibility to use the European Social Fund+ (ESF+) to provide access to safe and legal abortion goes beyond EU's competence.

The ECI 'My Voice, My Choice' was registered by Commission Implementing decision (EU)2024/1158 of 10 April 2024. It is stated in that decision that any decision of the Commission to realise the demands of the ECI needs to comply with the limitations set out in Article 168(7) of the Treaty on Functioning of the EU.

The Commission has carefully examined the ECI and has set out its legal and political conclusions, in its communication adopted on 26 February 2026 ⁽¹⁾.

The Commission considers that the ECI's objective can be met through the European Social Fund Plus (ESF+), in case Member States wish, voluntarily and in accordance with their national laws, to provide such support, notably by using or reallocating available resources under their ESF+ programmes. In its reply, the Commission highlights that to pursue the Treaty objective of ensuring a high level of human health protection, Member States may use EU (ESF+) funds to enhance access to safe and affordable abortion, on a voluntary basis and in accordance with their national laws, to women who would not

⁽¹⁾ Communication from the Commission on the European Citizens' Initiative (ECI) 'My Voice, My Choice: For Safe and Accessible Abortion', of 26 February 2026, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52026XC01383>.

otherwise be able to access it. Therefore, the possibility to use the ESF+ for this purpose is completely voluntary and dependent on the Member States' willingness.

In order to respect the boundaries of EU competence as set out in Article 168(7) TFEU, the Commission's reply specifies that any Member State action supported by ESF+ money must remain fully neutral as to where the patient comes from and cannot specifically target women from Member States where the abortion in question would not be legally possible.

The Commission would like to reiterate that the above decision falls within the remit of its supportive competence as pursuant to Article 168(7) TFEU. Therefore the Commission does not intend to amend the Communication giving reply to the ECI "My Voice, My Choice".

Yours sincerely,

Pinuccia CONTINO
Head of Unit