



Press release.

Luxembourg, 03 March 2025

EN: Press kit:

Freedom to have an abortion enshrined in the Constitution

On Tuesday, March 3, 2026, the first constitutional vote on the inclusion of the freedom to have an abortion in the Constitution took place in the House of Deputies. It was a historic moment, a significant step forward in the struggle for self-determination. It is the victory of all progressives and feminists in the country. A long-standing demand of civil society is finally becoming reality.

The beginnings.

For years, feminist movements have been making this demand, but there has never really been any debate since Luxembourg has a law governing abortion. Why, then, amend the Constitution when the last revision, which took more than a decade to be finalized, only dates from 2023?

With the rise of regressive forces all over the world, attacks on rights that seemed to be taken for granted have multiplied. For this reason, déi Lénk MP Marc Baum has decided to table a proposal to amend the Constitution on 7 May 2024 with the aim of anchoring the rights to abortion (voluntary termination of pregnancy) and contraception in the Constitution¹. As the Constitution is more difficult to change since a two-thirds majority is required to revise the fundamental law, this approach aims to guarantee these rights in the long term.

In June 2024, Marc Baum was appointed rapporteur for amendment proposal number 8379. In December 2024, the first of many positive reviews of our proposal arrives. It comes from the Consultative Commission on Human Rights.

Launch of our campaign.

However, in winter, the daily routine of the House resumes, and the proposal is somewhat forgotten. For this reason, déi Lénk has decided to launch a campaign at the end of February 2025 in order to spark a real public debate.

¹ <https://www.chd.lu/fr/dossier/8379>

Thanks to our petition, which quickly reached more than 3000 signatures, our actions on the ground and – above all – the unwavering support of civil society, déi Lénk managed to impose the subject of the constitutionalization of the right to abortion and to relaunch the discussion around our proposal in the public space.

A cascade of positive opinions: abortion on all agendas.

Thanks to a significant number of positive opinions, including that of the Council of State, and the action of civil society, the discussion will become essential in the media from the summer of 2025. The political leaders of the parties must take a position and are mostly in favour of the protection of the right to abortion by the Constitution.

In October 2025, an initial survey on the issue showed that 70% of respondents were in favor of enshrining the right to abortion at the highest legal level². Added to this is the bitter failure of a public petition against the inclusion of abortion in the Constitution, which does not even collect 1700 signatures³. At the same time, a European citizens' initiative to guarantee access to safe abortion throughout the European Union has reached the threshold of signatures that force the Union's authorities to take up the subject.

In Luxembourg, only the ADR, one or two deputies of the majority and the association Œuvre pour la protection de la vie naisante are in opposition.

Beginning of work in parliamentary committee.

Although the deputies of the CSV-DP majority are largely in favour of our proposed amendment, they cannot accept that a left-wing opposition party can claim such a step forward in the struggle for self-determination.

Thus, they opposed the term "right" and replaced it with the term "freedom" because of a legal analysis that turned out to be unfounded. In France, the first country to explicitly enshrine the freedom to have an abortion in the Constitution, the same legal debate took place. In the end, in France as in Luxembourg, the competent authorities have decided: legally, there is no difference. The Council of State could not be clearer in its supplementary opinion: "Like the French Council of State, the Council of State considers in this context that the guarantee of a "freedom" would not have a different legal scope than the consecration of a "right", in that the restrictions that could be imposed on the public freedom to have recourse to a voluntary termination of pregnancy must, in all cases, respect the principles of legality and proportionality enshrined in Article 37 of the Constitution. »⁴

Conclusion.

Throughout these discussions, which began in December 2025 and reached a compromise in February 2026, our position was to seek a broad consensus in order to bring the process to a

² <https://www.ilres.com/wp-content/uploads/2025/10/SOFRO-Presentation-Oktober-2025.pdf>

³ <https://www.petitiounen.lu/fr/petition/3776>

⁴ https://wdocs-pub.chd.lu/docs/Dossiers_parlementaires/8379/20251219_Avis_2.pdf

successful conclusion and to obtain the inclusion of abortion in the Constitution. Thus, today the député.es voted to enshrine the following text in our Constitution:

"The freedom to have recourse to voluntary termination of pregnancy is guaranteed. The law shall determine the conditions under which this freedom is exercised. »
