

'Declare it to a doctor, and it's over': Ukrainian women face harsh reality of Poland's abortion laws

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Women turn to aid groups for help, with many unaware their rights to reproductive healthcare have vanished upon crossing the border

When the first Russian bombs fell on [Ukraine](#), Myroslava Marchenko was a gynaecologist at a private clinic in Kyiv. The next day, one of her patients was due to have an abortion after prenatal tests showed a high chance of Down's syndrome.

Instead, like millions across the country, Marchenko and her patient fled to safety, crossing the border into [Poland](#) where abortions due to foetal abnormalities - or "on eugenic grounds" in the language of the country's constitutional tribunal - are illegal.

"She called me and said, 'Oh, my God, I don't know what to do, because time is running out and my pregnancy is growing, but I don't want to raise this child because it's war, and I can't manage it,'" Marchenko recalls. It was, she says, the first time that she understood the impact that Poland's abortion laws, and the barriers that had been erected to prevent women accessing emergency contraception, could have on individual lives. Marchenko told her patient she should leave Poland and travel to the Czech Republic in order to access a safe termination.

"If women in need of abortion pills cross the border, it depends who they are met by. If it is someone religious, then no way"
- Oxana Lytvychenko

More than 2 million Ukrainians have found refuge in Poland since the beginning of the war in February; the vast majority are women with children. While the two countries share history, culture and a border, women's access to reproductive healthcare is radically different.

In Ukraine, abortions are legally provided on request in the first 12 weeks of pregnancy, oral contraception is sold over the counter without prescription and the morning-after pill is readily available. In Poland, abortion is almost completely outlawed and access to contraception is [ranked as the worst in Europe](#), according to the European Parliamentary Forum. Many doctors refuse to prescribe emergency contraception or even IUDs (intrauterine devices) on ethical grounds, arguing that they are akin to an abortion.

Oxana Lytvynenko, a Ukrainian reproductive rights activist who has lived in Poland for 16 years and has been helping refugees in reception points since the war began, says that some women have no idea that their access to reproductive healthcare services will vanish upon crossing the border.

"[Ukrainian refugees crossing the border] are completely unprepared for the situation here, they don't know the law. Even if someone has read an article somewhere about abortion in Poland,

[many] still think, 'OK, so they don't do abortion on demand, but if there is a good reason then they will do it,'" she says.

"It's difficult because you don't want to re-traumatise these women just after they are so happy to be safe again. It doesn't feel like the right moment to tell them the truth."

Lytvynenko says she has met women at the border who have asked her to help them access medication to terminate a pregnancy, but says that the ability to access reproductive healthcare services is down to chance.

"If women in [need of abortion pills](#) cross the border, it really depends who they are met by," she says. "If it is someone progressive, feminist, then they'll be able to put them in touch with right people. But if it is some random man, or someone religious, then no way. They'll either not care or they'll say it is God's angel and you need to keep it."

Members of Poland's anti-abortion movement have also been at the border to greet refugees. Within the first weeks of the war, volunteers from the Life and Family group started handing out leaflets at refugee reception points depicting dismembered fetuses and citing abortion as the biggest threat to peace. The leaflets also advised pregnant women to denounce to the police anyone offering them an abortion.

While Marchenko waits to receive a Polish medical licence she has been working with [Federa, a Polish women's rights organisation](#), to launch a Ukrainian-language hotline for women seeking help on where to access reproductive healthcare services. She says the hotline receives about 10 calls a day, 10% of which are queries on how to access an abortion.

Some of the questions Marchenko receives come from women with planned pregnancies who no longer feel able to give birth living as a refugee. Others are from women who became pregnant after joining their husbands who were already working in Poland before the war. "Even though there is a war, questions of reproduction are still there, especially as many women have not yet managed to secure contraception," she says.

Aborcynjny Dream Team, a group that aids women in [sourcing abortion tablets from abroad](#), says 158 Ukrainians have turned to them for help since the beginning of the conflict.

As evidence and reports of [rape and sexual assault](#) of Ukrainian citizens continue to emerge, activists and politicians in Poland are also becoming increasingly concerned about how rape victims seeking safety in Poland may be able to secure a legal abortion if needed.

Between 2010 and 2020, fewer than five legal abortions a year were carried out in Poland on the grounds of rape, with women needing permission from a prosecutor.

Leftwing politicians recently suggested amendments to a recent bill passing through the Polish government on the reception of Ukrainian refugees, which would force prosecutors to issue the necessary documentation within a seven-day period. The proposal was rejected by the Sejm, the lower chamber of the Polish parliament.

"My only hope is that none of the Ukrainian women who need an abortion try to get it legally in Poland," said Lytvynenko. "I hope they just keep driving westward to Germany. Because once they declare the pregnancy to the doctor, it'll be over for them."

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