

# FACTSheet

## How the Global Gag Rule Undermines U.S. Foreign Policy & Harms Women's Health

Family planning opponents in the U.S. Congress have long sought to place burdensome restrictions on U.S. population assistance. One such restriction is the Mexico City Policy, known to its opponents as the Global Gag Rule, which has proven detrimental to America's foreign policy objectives, to family planning programs in developing countries, and to women's health.

### What is the Global Gag Rule?

- **The Global Gag Rule denies foreign organizations receiving U.S. family planning assistance the right to use their own non-U.S. funds to provide legal abortion, counsel or refer for abortion, or lobby for the legalization of abortion in their country.** The gag rule originally was announced by the Reagan administration at the 1984 United Nations International Conference on Population in Mexico City. It was rescinded in 1993 by then President Clinton, then reinstated in 2001 by President George W. Bush on his first business day in office.
- **For those foreign organizations that refuse to comply with the gag rule, the price is not just monetary.** In addition to forfeiting financial assistance from the United States Agency for International Development (USAID), these organizations lose valuable technical assistance and U.S.-donated contraceptives, including condoms – two critical aspects of the USAID family planning program. No other bilateral donor has the capacity and expertise to easily fill the void left by the withdrawal of U.S. assistance.

### How the gag rule is obstructive and unwarranted

- **U.S. family planning assistance funds family planning, not abortion.** U.S. law and policy already ensure that U.S. funds do not pay for



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abortions overseas. Since 1973, the Helms amendment to the Foreign Assistance Act has prohibited the use of U.S. funds for abortion services; using U.S. funds for biomedical research and lobbying on abortion has been prohibited since 1981. In 30 years, no violations have been reported.

- **The gag rule would be unconstitutional in the United States.** A number of court decisions have established that it would be unconstitutional to condition the eligibility of a U.S.-based organization for federal funds on a requirement that the organization surrender its right to use its own funds to exercise free speech and participate in the political process. To impose this requirement on private organizations overseas raises serious questions about the sincerity of the U.S. government's commitment to fostering democracy abroad.
- **The gag rule undermines U.S. efforts to promote democracy around the world.** It is called a "gag" rule because it stifles public debate on abortion-related issues, requiring private organizations overseas to choose between continuing their non-U.S. funded efforts to change public policy around abortion in their own countries, or receiving U.S. family planning funds. Restricting their freedom to engage in public policy debates undermines a central tenet of U.S.

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foreign policy – the promotion of democracy abroad – and its core principle of free and open debate.

- **The gag rule restricts foreign organizations from engaging in activities that are legal in their own countries and in the United States.** U.S. law currently preserves the right to safe and legal abortion services. More than two-thirds of the countries receiving USAID family planning assistance also permit abortion for reasons other than to save the life of the woman, rape or incest. Indeed, the global trend is toward more liberal abortion laws. Providers in these countries must therefore disregard laws set in place by their own governments and comply with the current U.S. administration’s anti-abortion policies if they choose to accept U.S. funds.

### How access to family planning makes a difference in women’s lives

- **Family planning is a basic health care service.** Every minute, a woman dies in pregnancy or childbirth. By preventing high-risk pregnancies, family planning could save at least 25 percent of these women’s lives. Increasing the availability of prenatal care, trained birth attendants and family planning services is essential to making pregnancy and childbirth safer for women and their babies.
- **Access to family planning helps reduce reliance on abortion and deaths caused by unsafe abortion.** Regardless of whether abortions are legal, women in desperate situations still seek them out. As a result, abortions performed under unsafe conditions remain a major public health concern. About 70,000 women die each year from septic and incomplete abortion, many of them leaving young children behind. Many more suffer serious illness or injury.

### How the Global Gag Rule harms women’s health

- **The gag rule has forced closures and cutbacks by leading family planning groups.** Family planning organizations that reject the gag rule have been forced to close clinics, cut services and increase fees. They have been unable to obtain donated contraceptives on which

the women and men they serve depend. In a number of countries, established health care referral networks are collapsing as key family planning organizations downsize and struggle to cope with budget cuts and rapidly declining stocks of contraceptive supplies.

- **The gag rule has adversely affected the supply of contraceptives and condoms.** Shortly after the reinstatement of the gag rule, shipments of U.S.-donated condoms and contraceptives completely ceased to 16 developing countries, primarily in Africa. Leading family planning agencies in another 16 countries – mostly in Africa – have lost access to much-needed U.S. condoms and contraceptives as a result of their refusal to accept the gag rule restrictions.
- **Cutbacks in family planning services are likely to contribute to an increase in abortions.** Research from several countries reveals a lower reliance on abortion in areas where contraceptive use is higher, reflecting greater access to family planning services.
- **The gag rule restricts open communication between women and their trusted health care providers.** Prohibiting organizations from counseling and/or providing referrals on abortion hurts their ability to provide comprehensive health care needed or requested by their clients. The principles of informed consent demand that health care providers not withhold information on services that are available and/or legal in that country, or that could prevent injury or even save women’s lives.
- **The gag rule negatively impacts HIV/AIDS prevention efforts.** Family planning providers have developed the expertise, services and information to counsel individuals about safer sex, help people avoid high-risk behaviors, and screen for and treat sexually transmitted infections (STIs) that increase susceptibility to HIV infection. Although it applies only to family planning funds, the gag rule prevents the United States from working with some of the most effective front-line partners serving two of the populations at greatest risk of STIs, including HIV/AIDS – women and youth.



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