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Ending the Global Gag Rule for Good



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There are few guarantees in Washington. But with every change in Republican or Democratic control of the White House, one thing is certain. There's going to be a reversal on the so-called "Mexico City Policy." Since President Reagan first issued the policy in 1984, every Democrat President has revoked it as soon they've taken office. And every Republican has reinstated the policy as soon as they've been inaugurated. ¹ We've repeated this cycle like clockwork for the past 37 years, and it's not serving anyone, at home in America or abroad.

The Mexico City Policy, also referred to as the Global Gag Rule, is an executive order that conditions U.S. foreign aid funding to certain non-governmental organizations on those organizations agreeing to refrain from using funds from any source to perform abortion-related services, including counseling and referrals, or promote abortion as a family planning method, including by advocating for policy change in their own country. ² So this constant state of flux has meant that

for international organizations that receive American funding to conduct foreign aid, the rules completely change with every presidency.

Here's why we should permanently revoke the Mexico City Policy.

1. Trump Supersized It.

Every Republican administration that had issued the rule before President Trump applied its restrictions only to foreign organizations doing family planning work outside the U.S. The Trump Administration, however, greatly expanded the rule to make it apply to foreign organizations doing work across a wide range of health areas, including maternal and child health, nutrition, HIV care and reduction, and malaria prevention.³ Even if these organizations were being funded for initiatives unrelated to family planning or abortion in any way, Trump's new rule forced them to abide by the gag order.

These exceedingly broad constraints amounted to exponential increases in the impact of the Mexico City policy. Under previous administrations, the policy applied to an estimated \$575 million of U.S. foreign aid. Trump's expansion of the rule constrained roughly \$8.8 billion of aid—a 15-fold increase.⁴ This caused far-reaching disruption for global health providers. A clinic in Kenya, for example was forced to close and lay off all staff, completely gutting its services. Before Trump's order, the clinic provided free HIV-testing, anti-retro viral medication, family planning, and reproductive care.⁵ It didn't perform abortion services, but it also could not operate according to the new gag order.

Even organizations that have nothing remotely to do with family planning work were impacted by this super-sized rule, with organizations like Water Aid having to create guidance that partners who work to promote safe water storage, sanitation, and handwashing with soap were likely covered and needed to abide by the gag.⁶ These broad-reaching and seemingly unrelated limitations sent a chilling effect rippling across global health providers who receive American support.

2. It Increased Abortions.

The primary goal of the Mexico City policy is supposed to be to reduce the number of abortions across the globe.⁷ In that goal, it has failed spectacularly. A study by Lancet Global Health found that between 1995 and 2014, abortion rates in sub-Saharan Africa increased 40% as a direct result of the policy.⁸ Additionally, the rule led to a 13.5% decrease in contraception usage.⁹

Both in the United States and abroad, we have seen that restricting access to a full range of evidenced-based and fact-driven family planning information leads to the exact opposite of what abortion opponents desire—an increase in the number of unintended pregnancies and abortions.

Reducing the need for abortion is best accomplished when medical professionals are able to discuss all aspects of reproductive health and family planning with their patients, including contraception and abortion-related services, without fear of threat from outside forces.

3. It Drove Bad Health Outcomes.

Consequences of this massive expansion of the Mexico City Policy were not just limited to abortion. Because the Trump Administration expanded the policy beyond organizations conducting family planning work, there have been far reaching consequences. A third of organizations working to combat HIV under the President's Emergency Plan For AIDS Relief (PEPFAR) program cut prevention and treatment programs after Trump's extreme policy was implemented.¹⁰ Started by the W. Bush administration, PEPFAR is the main U.S. mission to fight HIV across the globe. Organizations combatting the spread of HIV as well as those working to provide better nutrition around the world were particularly impacted, since they often also have arms that do work in family planning and reproductive care services (but are not funded by American aid).¹¹ Under Trump's policy, any organization that received a single dollar of global health aid for any reason had to agree to tie its hands, no matter what the U.S. was funding it for and no matter how its other work was funded.

Focusing on the ground level impacts shows even starker consequences. One organization operating in Kenya had to cut one quarter of their programs on family planning. Multiple organizations in Malawi refused to participate in U.S. funded global health assistance research because of the perception they would be required to comply with Trump's Global Gag Rule.¹² Nepal's dramatic reductions in maternal mortality rates were threatened when programs in the country were cut short early.¹³ And in India, an organization that was treating tuberculosis with American funding since 2013 halted its work with the United States once the expanded policy was put in place.¹⁴

Despite causing significant harm, it accomplished no tangible goals. As stated above, abortions increased. And a Government Accountability Office report conducted under the Trump administration effectively conceded that the policy does no good for global health or US international goals. The report instead meekly argues that not that many organizations were cut off from American aid—it could not point to one instance of success.¹⁵

4. We Can Prevent Future Harm.

The Mexico City Policy has been temporarily revoked by the Biden administration, but without legislative action, it is almost guaranteed to return. Trump's expanded Global Gag Rule cannot become the status quo for American foreign aid. Passing the *Global Health, Empowerment and Rights Act* (S. 142/H.R. 556) would ensure that eligibility for providing foreign aid is not cut off simply

because of a specific medical service or referral a health care worker providers.¹⁶ It explicitly prohibits future administrations from imposing a Global Gag Rule ever again—giving certainty to our partners and collaborators across the world.

Disentangling the vicissitudes of our domestic politics from global health aid respects the sovereignty and freedom of our partners and better achieves our goals. Every community and country is different, and critical medical services and decisions should be made between patients and their medical providers, not thousands of miles away in Washington.

Conclusion

It's time for the Global Gag Rule to end permanently. For the sake of improving global health and reducing abortion rates worldwide, we should allow doctors and health organizations to provide the care they know is right for their communities.

ENDNOTES

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