

Trump's gag rule on abortion: legacy and future

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Donald Trump in the Oval Office
Photo Credit: *The White House/Flickr*

The **Global Gag Rule (GGR)**, also called the Mexico City Policy, is a US government policy first enacted in 1984 by President Ronald Reagan that prohibits federal funding to foreign NGOs providing information about abortion as a family planning option.

The policy extends to all foreign NGOs that provide advice, counselling, or information regarding abortion, and also to organisations lobbying for change to abortion laws or policies. Civil society renamed the policy the Global Gag Rule because it effectively gags organisations from discussing abortion. The GGR comes on top of the ban on the provision of US aid for abortions, which has been prohibited under the Helms Agreement of 1973.

The Global Gag Rule has become a political flashpoint in the abortion debate. After its first enactment by Reagan in 1984, it was overturned in 1993 by Bill Clinton, reinstated in 2001 by George W. Bush, overturned once again by Barack Obama in 2009, and reinstated by Donald Trump in 2017.

President Trump not only reinstated the policy but **expanded** it to include all NGOs who receive any funding through USAID's global health budget line. Where the rule had applied only to the family planning component of the health budget (US\$575 million), the expansion had a significant effect on NGOs working on a wide range of health services beyond family planning, **impacting US\$9.5 billion of global health assistance**.

The harmful effects of this policy are two-fold. Firstly, the loss of funding for contraception, family planning and women's health initiatives results in an increase in unsafe abortions as well as **significant disruptions in health care service delivery**. Second, fear and confusion over the policy's application leads to self-censorship and over-implementation. This in turn further reduces discussion and awareness of abortion and further stigmatises women seeking help.

The dangerous irony of the GGR is that it actually increases the number of abortions. When women cannot access contraception or family planning advice, the number of unwanted pregnancies rises, and women may be forced to seek unsafe abortions from disreputable providers. This puts women at a high risk of death and disability – in fact, **around 10% of maternal deaths can be attributed to unsafe abortions**.

When the **GGR was last applied** under President George Bush in 2001-2009, in sub-Saharan Africa reproductive health providers lost 10-60% of their budget, resulting in clinic closures, reduced services and increased fees. As a result, rates of abortion due to unintended pregnancy increased by 40%, with women three times more likely to have an induced abortion in countries highly dependent on US family planning assistance compared to those with low dependency. A similar study **showed** that women in Latin America were three times more likely to have an abortion while the GGR was in effect.

Trump didn't stop with expanding the Global Gag Rule. Only last month we saw the signing of the **Geneva Consensus Declaration**, led by the US, which seeks to dismantle long-standing international human rights agreements and frameworks where there is broad consensus on access to sexual and reproductive health care. The non-binding Declaration was sponsored by Brazil, Egypt, Hungary and Indonesia, and marked the latest move by the Trump Administration to build alliances to promote abortion restrictions worldwide.

President-elect Joe Biden has **promised** he will repeal the GGR as one of his first duties in office, as previous Democrat presidents have done. The Global Health, Empowerment and Rights (HER) Act, which has been introduced in both the House and Senate, would permanently repeal the GGR, ensuring that future administrations were unable to reinstate the gag on their own.

If enacted, the Global HER Act would enable organisations to use their own funds to provide safe abortion care, in line with local laws, while receiving US foreign assistance. NGOs would be able to speak freely in support of abortion rights and promote the democratic process in their own countries.

Reproductive health NGOs are also hopeful that Biden will restore US funding to the WHO and the United Nations Population Fund (UNFPA). To make up for the global health funding gap, there are also calls for an increase to global health assistance for comprehensive reproductive health services.

Whether Trump's gag is the last America will see comes down to, like much else, whether the Democrats, having won the presidency and retained control of the

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House, will get control of the Senate. This in turn will depend on the Georgia Senate elections, which will be repeated in January, since no Senate candidate in Georgia won more than half of the votes. For women and their reproductive health, the stakes could not be higher.

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