

# REPORTING ON THE GLOBAL GAG RULE



## WHAT IS THE GLOBAL GAG RULE?

On January 23, 2017, Donald Trump reinstated and [expanded](#) the Global Gag Rule—a policy that forces foreign NGOs to choose between receiving U.S. global health assistance and providing comprehensive sexual and reproductive health care. Providers must agree not to provide information, referrals or services for legal abortion or to advocate for the legalization of abortion in their country with their own non-U.S. funds.

The Global Gag Rule is not a ban on U.S. funding for abortion overseas, because U.S. foreign aid is already restricted from being used for abortion services. Projects impacted by the policy are ones funded for contraceptive access, maternal and child health, HIV/AIDS, TB, malaria, nutrition and other global health efforts.

Previously—but no longer—known as the Mexico City Policy, the legal name of the policy is now “Protecting Life in Global Health Assistance.”

Read more about the [History of the Global Gag Rule](#).

## HISTORICAL EFFECTS OF THE POLICY

When previously implemented and applied solely to international family planning assistance, the Global Gag Rule’s negative effects were extensive. The policy reduced access to sexual and reproductive health services and weakened health systems by putting the most effective and experienced health care providers’ services out of reach.

When the Global Gag Rule was in place during the Bush administration, PAI found that established family planning organizations were forced to close clinics and cut services, clients were deprived of contraceptives, efforts to increase contraceptive method mix and counteract reliance on abortion as the sole method of family planning were hindered, rural and youth community-based distribution programs were cut, HIV/AIDS prevention efforts were weakened and STI screening and treatment services were reduced, among many more impacts.

See [PAI’s past documentation of the Global Gag Rule’s effects](#).

## THE EXPANSION MATTERS

President Trump’s Global Gag Rule dramatically expands the scope of the policy from family planning assistance to all “global health assistance furnished by all department or agencies.” It now applies to assistance provided by USAID, the Department of State, and the Department of Health and Human Services. Foreign NGOs receiving U.S. government health assistance for family planning, maternal and child health, nutrition, HIV/AIDS (including

PEPFAR), infectious diseases, malaria, tuberculosis, and neglected tropical diseases, are, for the first time, required to agree to the Global Gag Rule as a condition of receiving assistance from the U.S. government.

The policy will also apply to contracts for the first time; previously, it was only attached to grants and cooperative agreements, although rulemaking by policymakers is required before this will take effect.

The expansion means that about 15 times the amount of funding is implicated compared to when the policy applied only to bilateral family planning assistance—\$575 million vs. a total of at about \$8.8 billion in global health assistance, government-wide. That’s nearly half of all bilateral economic assistance from the U.S.

Even though most of these newly impacted organizations do not directly work on abortion or family planning issues, their work will be impacted by the expanded policy—whether they choose to comply or not.

No matter the focus of their projects, all foreign NGOs must agree to the policy provisions to receive any kind of U.S. global health assistance. U.S. NGOs subgranting to foreign NGOs must enforce the expanded conditions on foreign NGO partners, regardless of whether they believe grantees are engaging in proscribed activities.

Because agreeing to the policy may interfere with organizations’ ability to work across health sectors to provide critical integrated care, violate ethical medical policies, or otherwise run counter to their values and organizational goals, some foreign NGOs working on expansion issues unrelated to family planning are refusing to comply and will lose U.S. funding as a result.

PAI’s full breakdown of the expanded policy: [Everything but the Kitchen Sink](#).

Side-by-side [comparison of the Global Gag Rule under Bush and Trump](#).

## FUNDING “CUTS” AND “GAPS”

One common misconception is that the Global Gag Rule cuts funding from the U.S. It does not. Any changes to international family planning and global health assistance budgets would result, separately, from the Congressional appropriations process.

The policy is insidious because it takes money away from recipients—originally awarded the funding because they were the most qualified providers—who refuse to deny patients access to comprehensive information and services. In effect, this shifts funding away from some of the most effective—and sometimes only—providers

in communities around the world to those who are willing to deny beneficiaries their right to comprehensive reproductive health care.

The Global Gag Rule does not change U.S. spending on foreign aid—it just makes those investments less effective. The gaps created by the policy are organizational budget shortfalls of NGOs that refuse to sign the Global Gag Rule. International Planned Parenthood Federation alone [reports](#) it will lose about \$100 million in funding over the next four years from the U.S. government as a result of its unwillingness to be bound by the policy, Marie Stopes International [estimates](#) an organizational funding loss of \$30 million per year due to the Global Gag Rule.

## TAKING EFFECT

Documenting the impact of the Global Gag Rule is a long-term undertaking. While the policy was reinstated by President Trump in one of his first actions in office, standard provisions outlining the expansion specifications were not released until May 2017. Furthermore, NGOs do not have to comply with the Global Gag Rule until the policy language is inserted into new or existing grants or cooperative agreements upon their next funding action. This means implementation of the policy is rolling out gradually and it will take some time—likely years—for the whole scope of impact of the Global Gag Rule under the Trump administration to appear. Effects of the policy also linger in the field long after it has been rescinded.

**This does not mean that consequences are not emerging.** It is critical to recognize and highlight initial harm to NGOs, communities and health systems as part of the body of evidence demonstrating the full burden of this U.S. policy, as well as identify potential near-term mitigating solutions.

## SO FAR, SO BAD

PAI's documentation across several countries shows that the expanded Global Gag Rule is already disrupting services and referral networks, damaging integrated health programs, and diverting resources away from direct service delivery. It has threatened to stall progress on national sexual and reproductive health and rights policies and forced closures of projects serving vulnerable communities including youth, people living with HIV/AIDS, and rural populations, among others. The Global Gag Rule has also created contraceptive commodity insecurity and undermined European-funded projects.

There is also a chilling effect caused by the policy, with NGOs unintentionally halting or restricting work that is permitted.

Read our case studies from [Uganda](#), [Nigeria](#), [Ethiopia](#) and [Nepal](#), and many more coming this year.

## CONFUSION BY DESIGN

One constant across time, geography and policy version is that the Global Gag Rule creates harmful confusion both in the U.S. and around the world when it is in place. It is a difficult-to-understand policy even for many technical health experts and is often oversimplified and misrepresented by media, policymakers and organizations—to the detriment of women and communities seeking services.

PAI provides technical support to foreign NGOs facing Global Gag Rule restrictions to help them understand

how the policy might affect their services, partnerships, advocacy activities, staff resources, and other factors—and sometimes whether the policy should even be applied to them at all. There are cases of U.S. NGOs and government contacts mistakenly attempting to enforce the policy on foreign NGO recipients that should not be subject to it, as well as needlessly asking partners to prove are compliant, causing more confusion, fear and delays in programmatic activities. In many cases, NGOs have reported a lack of communication and information on the policy from U.S. government agencies or prime recipients, contributing to an atmosphere of fear and misunderstanding.

These oversights, along with fear of losing funding, create a chilling effect that causes foreign NGOs to self-censor their activities. For example, one organization in Uganda has halted work on post-abortion care, despite it being a permitted activity under the Global Gag Rule.

*It is crucial for reporting on the Global Gag Rule to be accurate and complete to diminish confusion and chilling rather than contribute to it. PAI experts documenting the impact and providing technical assistance in the field are available to support ongoing media stories on the policy.*

Contact Adrienne Lee [alee@pai.org](mailto:alee@pai.org) for any requests.

## ABOUT PAI

PAI is a global organization advancing the right to affordable, quality contraception and reproductive health care for every woman, everywhere. PAI has documented the impact of the Global Gag Rule since its inception and will be releasing new research in our report series, Access Denied. We also work with in-country partners and policymakers in the U.S. to mitigate the policy's harmful effects. For more information, [visit www.pai.org](http://www.pai.org).

## ONLINE RESOURCES

History of the Global Gag Rule:

<http://trumpglobalgagrule.pai.org/history>

Past PAI documentation under George W. Bush:

<https://pai.org/wp-content/uploads/2017/10/GGR-Impact-One-Pager-3-2.pdf>

Video overview: What's the Point <https://pai.org/videos/ggr-whats-the-point>

Trump's Global Gag Rule Dramatically Expands Harmful Health Impacts <https://pai.org/newsletters/stroke-pen-trumps-global-gag-rule-dramatically-expands-harmful-health-impacts>

Expanded policy standard provisions: Everything but the Kitchen Sink <https://pai.org/newsletters/everything-kitchen-sink>

Side-by-side comparison of the Global Gag Rule under Bush and Trump <https://pai.org/newsletters/everything-kitchen-sink>

All PAI's Access Denied case studies: <http://trumpglobalgagrule.pai.org/category/reports>

Visual: The Many Extremities of a Monstrous Policy <https://pai.org/data-and-maps/trumps-global-gag-rule>

Visual: How Trump's Global Gag Rule and Budget Cuts Will Harm Women and Communities

<https://pai.org/data-and-maps/gagged-and-slashed>

The Global Gag Rule and Proposed Domestic Gag Rule Compared

<https://pai.org/newsletters/gag-rules-enemies-public-health-home-abroad-global-gag-rule-proposed-domestic-gag-rule-compared>